

MINUTES OF MEETING  
BOARD OF SELECTMEN  
Tuesday, January 5, 1982

7:30 p.m. Meeting convened in the Hearing Room. Present were: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, members of the press.

Treasury Warrants signed by the Board:

\$ 46.20	#1 Revenue Sharing
\$ 23,526.62	#108
\$272,000.00	#109
\$ 25,952.80	#110
\$ 52,697.26	#111

Jurors Drawn:

In the presence of Town Clerk Paul J. Barry, Selectman drew 3 jurors: (1) John J. Sullivan, 3 Ted Lane  
(2) Ro-land P. Flot, 7 Leonard Drive  
(3) Alyce H. Pollack, 32 Flagg Road

PERMIT GRANTED:

1. Site Plan approved for Dennis Marguerite and Emilio Mezzone to convert a single-family dwelling into an office building at 30 Turnpike Road. (See 8:15 p.m. appointment for further details.)
2. Temporary Storage Trailer Permits (30 day renewal) for 90 Turnpike Road (corner of 2 Woodland Road) requested by Hugh M. DaLzell GRANTED by Chairman Louis J. Bartolini and Selectman Thomas W. McAuliffe. Selectman Cipriano voted against.
3. Board unanimously VOTED to grant permission to Boy Scout Troop 1 c/o Danny Chernewski, Pancake Breakfast Chairman, to place two banners (a) one just past the intersection of Route 85 and 30 on Route 85, and (b) one at Route 30 and Framingham Road on Route 30 just before the causeway announcing pancake breakfast of 2/7/82.

APPOINTMENTS/RESIGNATIONS

Resignation:

Kathleen Straitt, Police Dispatcher, resigned effective 26 December 1981.

LICENSE APPROVED: Special (1 day) unanimously VOTED to allow F.D. Newton Handtub Assoc. (c/o David Falconi) to sell wines and malt beverages at Fayville Village Hall, 42 Central St. on Feb. 6, from 12 noon to 6 p.m.

Appointments:

Per 1/4/82 letter of recommendation from Police Chief William D.Baker, unanimously VOTED to appoint the following individuals to fill the 24 hours per week of dispatcher shifts available since Kathleen Straitt resigned: (1) Douglas McLellan, 24 Breakneck Hill Road, and Jane Truesdale Moran, 70 East Main Street, Hopkinton. These appointments are effective as of January 3, 1982. The above will start at Grade 9, Step 1 \$5.10/hour.

CONTRACTS/BIDS:

Re: Printing of Town Report and Advisory Committee Report. All bids opened on 12/17/81 were unanimously VOTED to reject. These bid amounts were considerably higher than last year. VOTED: to readvertise.

SCHEDULED MEETINGS:

8:15 p.m. Site Plan Hearing reconvened from 9/8/81. This to was a request from Dennis Marguerite and Emilio 8:25 p.m. Mezzone to convert a single-family dwelling into an office building at 30 Turnpike Road. Representing the applicants was their Attorney Neil J. Roche of Franklin, Massachusetts. Attorney Roche stated that he believed his clients have addressed all of the concerns listed in the Selectmen's September 10, 1981 letter. Board noted Special Permit of Zoning Board of Appeals dated October 19, 1981. Board noted approval letters from the Board of Health, Conservation Commission and Water Department. However, the 1/5/82 Water Department letter asked that a new "2" water service be installed from the water main as the current service is about 50 years old and there is only a 3/4" pipe. David Scattergood of the Planning Board stated that his only concern was the screening between the proposed parking layout and the residential zoning. The Planning Board would like the screening to be thick and follow the Screening Regulations of the Zoning By-Law. Building Inspector Edgar Phaneuf said he approved the revised site plan. As there were no objections from any board or abutters, the Selectmen unanimously VOTED to approve the revised Site Plan as submitted with the provision that the applicants incorporate in the plan the requests as stated by the Water Commissioners' 1/5/82 letter and the request by the Planning Board regarding the screening, that it be thick and follow the screening regulations of the Zoning-By-Law.

8:25 p.m. Re: Ledge Hill Road. Several residents of this to unaccepted street attended tonight's meeting 8:35 p.m. in the hope that the Selectmen or someone could put some pressure on the developer, Vahan Sarkisian of Boroughs Corporation to maintain this road including plowing and sanding.

Re: Ledge Hill Road continued:

Richard Bellotti, 5 Ledge Hill Road, was the spokesman and said that this road is unsafe and untraversable. The developer plowed the road once on Sunday evening of the last snowstorm and told residents that he made a deal with the Town to plow this road since the road would be accepted in the spring at the Annual Town Meeting. The Highway Department told the residents that they could not plow or sand an unaccepted street and that it is the developer's responsibility to maintain this road, not the Town's responsibility. Chairman Bartolini informed the group that Mr. Sarkisian sent the Board a letter a few weeks ago asking that this street be plowed as he intended to ask the Town to accept this street at the Annual Town Meeting in the Spring. Mr. Sarkisian was not told the Town would maintain this road. The Town cannot plow or sand an unaccepted street. Mr. Sarkisian was so informed. It is Mr. Sarkisian's responsibility and if he cannot plow it, he should have it contracted out. Dr. Thomas Hunt of 6 Ledge Hill Road said the ice ruts and snow on this road prevented his wife from going to work one night and caused a hardship for them that this road was not maintained at that time. Chairman Bartolini assured the residents that the Fire Trucks would be able to traverse this road and that the Highway Department will plow the road in dire emergencies. Selectman Cipriano asked the Planning Board members, David Scattergood and Stephen Foley, if there was a maintenance bond on this subdivision and what the amount of the current bond is on this subdivision. Their reply was that there is no maintenance bond, and that the bond is in the amount of \$10,000. Selectman Cipriano suggested that this matter should be referred to Town Counsel, with the cooperation of the Planning Board, to find out what the status of the bond is at present. Mr. Sarkisian should be advised of his responsibilities. The Planning Board said that at a recent meeting with Mr. Sarkisian around the end of November, he requested that the Planning Board release the bond upon completion of this section of Ledge Hill Road. At that time the Planning Board told him that he has to meet all the requirements for this street to be accepted such as verification from the Highway Superintendent, legal hearings, etc. Mr. Sarkisian plans to eventually cut through to Sears Road. The Planning Board has not released Mr. Sarkisian's bond. No word has been received from Highway Superintendent Boland regarding this road. Chairman Bartolini stated that in order for this portion to be accepted there has to be a temporary cul-de-sac. Mr. Sarkisian must plow and sand this road as the Town cannot maintain it until spring. The Town Meeting cannot accept this road until all requirements have been met. Selectman McAuliffe recalled that the Town had a similar problem with Bantry Road and does not want the same problems repeated with this road. If the Town, in a dire emergency has to plow this road, then the cost should be deducted from Mr. Sarkisian's bond. Town Counsel should check to see if this can be done. Selectmen VOTED that Highway Superintendent Boland, in his judgment, is hereby authorized by this Board to plow and sand Ledge Hill Road in a dire emergency. Mr. Boland is to keep track of the cost of said plowing and sanding.

Administrative Assistant Grossman was directed to contact the developer, Vahan Sarkisian, and inform him that the Board would like to discuss this matter with him at next week's meeting along with the Planning Board, Highway Superintendent and the Town Counsel.

8:35 p.m. Residents of Ledge Hill Road left.

CORRESPONDENCE NOTED BY THE BOARD:

December 21, 1981 letter from St. Mark's School donating \$9,000 to the Town. Letter of appreciation to be sent to them.

December 24, 1981 letter from Fire Chief Edward F. Brock advising that effective 1/3/82, he promoted Firefighter Daniel F. Brock and Firefighter George F. Killam to the rank of Captain.

Board noted 1/5/82 letter from Donna McDaniel regarding the recent appointments BY Fire Chief Brock from Firefighter to Captain. Chairman Bartolini stated that he had received said letter from Mrs. McDaniel in which she criticized the appointment of the Captains. Chairman Bartolini stated that the letter was available for anyone who wished to see it and asked Administrative Assistant Grossman to ask Chief Brock to respond to this letter.

12/30/81 letter from Ambulance Program, Department of Public Health, re license renewal of ambulance license. Ask Fire Chief Brock if there are any problems and if he will be able to respond by the January 14, 1982 deadline.

12/29/81 letter from Fire Chief Brock submitting three Warrant Articles for ATM '82 regarding smoke or heat detectors and a new cruiser. Town Counsel is to review these proposed Articles to insure that they are in proper legal form.

8:40 p.m. VOTED: to adjourn the Meeting.

*Maryorie R. Putnam*  
Maryorie R. Putnam, Secretary

mrp/mfm

MEMORANDUM

December 29, 1981 no meeting was held. However the Selectmen signed the following Treasury Warrants:

#103 \$ 93,321.76	#105 \$ 6,201.27	#107 \$150.00
#104 \$225,000.00	#106 \$ 97,154.30	

Selectmen also signed Automatic Amusement Devise License renewals for Fitzgerald's General Store (3 licenses) and one license for Kahili Restaurant.

*mrp*  
mrp

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, January 12, 1982

7:30 p.m. Meeting convened in the Hearing Room. Present were: Chairman Louis J. Bartolini, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam and members of the press. (Sel. Thomas McAuliffe was out of the State on vacation.)

Treasury Warrants Signed by the Board:

\$ 20,070.95	#19 Rev. Sharing	\$ 26,679.40	#114
\$ 93,310.37	#112	\$ 12,612.51	#115
\$438,000.00		#113	

PERMIT GRANTED:

30 day renewal of temporary office trailer permit unanimously granted to Vahan Sarkisian of Boroughs Corp. for Ledge Hill Road.

RESIGNATION:

Peter K. Daniels, 7 Rock Point Road, resigned effective 1/4/82 as Public Representative of the Board of Selectmen to the Board of Directors of South Middlesex Opportunity Council.

SCHEDULED MEETINGS:

7:58 p.m. Personnel Board members met with the Selectmen to announce to the amount it will ask the Town Meeting to vote on the 8:02 p.m. cost of living increase for all Town employees under the the Salary Administration Plan. The Personnel Board felt it should offer an eight per cent (8%) increase, which is the same percentage being offered to the unions. The Selectmen concurred with the Personnel Board. Ch. Bartolini stated that even though the Town right now is having difficulty meeting the mandates of Proposition 2½, the Town should pass on this increase as it does not involve a great many people who should be compensated as long as the Town can do so. Personnel Board members present were: Chairman Janice Fletcher, members Nanette Linden, Andrew Mandell and Barry Silver.

8:15 p.m. Meeting was called to discuss the responsibilities of to maintaining Ledge Hill Road (unaccepted by Town) until it 8:30 p.m. is accepted by the Town. Present were: the developer and owner of the road, Vahan Sarkisian of Boroughs Corp.; residents of the street, the Bellotis, the Hunts, et al; Planning Board member David Scattergood; Highway Superintendent John Boland and Town Counsel Frederick Busconi. Town Counsel Busconi informed everyone that he and Admin. Assistant Grossman had met with Mr. Sarkisian several days ago to discuss this matter and to inform

Mr. Sarkisian that it is his responsibility to plow, sand, etc. this street until it is accepted by the Town. Mr. Sarkisian was under the impression that since he had paved 1,000 feet of the street and planned to ask the Town to accept it at the Town Meeting in April, the Town would automatically plow and sand the road as is done in all the other towns in which he is building or has built subdivisions. Town Counsel informed Mr. Sarkisian that the Town has never accepted Chapter 40, Section 6C which allows municipalities to remove snow and ice from a private way. Until the Town accepts this chapter of the General Laws, it cannot plow any private way. Therefore, Mr. Sarkisian must maintain the road or contract to have it done until such time as either the road is accepted or said Chapter is accepted by Town Meeting. Mr. Sarkisian was asked to speak to the residents of Ledge Hill Road. Mr. Sarkisian informed the Board that he had not personally spoken to the residents as he thought he could do so through tonight's meeting. He sincerely believed the Town would plow the road and stated tonight, "I will take the responsibility of plowing the snow." Mr. Sarkisian said that the road is completed to the best of his knowledge and needs only to have some of the roadside slopes graded and grass seed planted. He has built in 12 or 13 towns and whenever the roads were paved, the town automatically plowed them. He said that since there isn't much development in this town, the Town should think about accepting the General Law stated by Town Counsel Busconi so that private roads can be plowed until accepted. He said he has now arranged to have Ledge Hill Road plowed, etc. by someone else if he can't do it himself. The last time he was out of the State and had assumed the Town would plow it, when he arrived home and was informed that it had not been plowed, he plowed it himself around 11 pm that Sunday night. He arrived as quickly as he could but the ice had become a problem by that time. The Selectmen asked Mr. Sarkisian if he is planning to ask the Town to accept this road in sections as he is doing now. Mr. Sarkisian answered in the affirmative. Regarding a cul-de-sac, he said he would do whatever had to be done but will be extending the road further and plans to put an intersection there. He does not, at this time, plan on putting a temporary cul-de-sac at the end of the 1,000 foot strip. According to Mr. Sarkisian, he owns about 35 acres, more or less. Mr. Scattergood said if the Highway Superintendent approves this section of the road, then the Planning Board sees no problem in submitting it to the Town Meeting for acceptance. Mr. Scattergood said that in meetings with Mr. Sarkisian, it was planned to have the road accepted in strips as completed. Spokesman for the residents, Mr. Belloti, said he believed that Mr. Sarkisian acted in good faith and believed the Town would plow the road, that it seems to be a matter of lack of communication. The residents were satisfied with this meeting and thanked all the town officials and Mr. Sarkisian for their prompt attention to this problem.

8:32 pm Progress report from the Recycling Committee. Present were: to Chairman Donna McDaniel, members Richard Upjohn, Inge Tufts, 9:13 pm Norman Boiani and ex-officio member Highway Supt. John Boland. Ms. McDaniel informed the Board that the Lyons Club and the Rotary Club will be donating signs to be placed at the Transfer Station's recycling center to remind people of the cost per

ton on hauling trash away and to point out that it helps to keep recycling materials out of the pit. It has been noticed that there is a great deal more recycling activity since the new flyers were issued in the fall of 1981. John Boland said that the newsprint recycling has always been good but now there is a definite increase in people recycling clean glass materials. Before, a lot of contaminated glass was refused. Twenty-five dollars a ton was received for the last shipment of glass and the Town received \$445 for October and November. December's figures are not in yet. This is clear profit. The recycling program is not waning as stated in a recent newspaper article. It is doing very well and is the reason the committee wanted to make a report tonight. The Committee asked when the area will be ready for "white goods" and "heavy metals" and what is holding up the land donated by Commonwealth Gas Co. Selectmen informed them that there has been a problem with the deed but that Town Counsel had met with Commonwealth Gas executives recently to iron out the problems, and that permission has been given to the Highway Supt. to erect the fence around the proposed area. Highway Supt. Boland said that the area has been cleared and gravel placed there, but the fence can't be erected until the weather permits it. If residents will ask the Transfer Station attendant, they now can deposit the "white goods" and heavy metals in the designated area. Ms. McDaniel suggested a sign to inform the public that they should ask the attendant before dumping these materials. Committee questioned as to which area is designated to dump wood and/or brush. An area was designated for Christmas trees to be dumped for chipping, but the Committee believed a simple sign should have been placed to denote the exact place for the dumping. The only way they knew where to dump the trees was that other trees that hadn't been chipped yet were still on the spot. Highway Supt. said that the chipper vehicle was near the spot where the trees were to be dumped. Highway Supt. Boland said the Town has agreed to accept a flat rate of \$25 a load for "white goods" and heavy metals. The problem with white goods such as refrigerators, is that surprisingly there is not much metal and a great deal of plastic in them. Wood can be dumped in the small area near the heavy metal area. That is the only room they have to work with. Signs will be placed as to what constitutes heavy metals and what you cannot dump such as T.V.'s, furniture and the like. A sign will be placed as to the type of wood to be dumped such as only wood that is capable of being chipped. No rose bushes and the like will be allowed. Regarding the Swap Area suggested by the Committee, the Highway Supt. thought it is a good idea but should be limited to perhaps the spring and the fall months only. The Committee would like to know as soon as possible as to when a load of recycling material is being taken away and also they want to keep up on the cost figures, tonnage figures, etc. Highway Supt. Boland said the problem has been the lack of a permanent Transfer Station attendant which he hopes to hire soon. It will be one of the new attendant's responsibilities to pass this information on to the Committee.

9:15 p.m. Donna McDaniel brought up another matter to the Board - her letter to the Board dated January 5, 1982 regarding her displeasure with Fire Chief Edward Brock's appointment of two Fire Captains in the middle of a budget year. When she was Chairman of the

Board of Selectmen last year she remembered at the budget meeting with the Fire Chief that he had stated he could not live with the \$4,000 overtime cut from his budget and that he said he needed this much money to run his department and asked the townspeople at the Annual Town Meeting of 1981 for this amount to be returned to his budget and which he subsequently received. Also Ms. McDaniel stated that she had wanted the complete letter read aloud at the Selectmen's meeting to make all the facts public. Chairman Bartolini said he had stated that the Board had received Ms. McDaniel's letter complaining about this matter and offered it for examination by the people attending the meeting. This letter appeared in the Southborough Villager after last Tuesday's meeting. Ms. McDaniel said that the Fire Chief had responded to her concerns, at the request of the Board of Selectmen, but that she was not satisfied with the Chief's explanation. Ms. McDaniel wanted to know if the Selectmen agreed with the Fire Chief. The Selectmen agreed that they had no authority to agree. Sel. Cipriano said if the Chief can show an administrative need for the appointment of two new Captains and that it will not be a financial burden on the budget and that he has the money in his budget, then he will take the Chief's word at this time unless this is proven otherwise. Ms. McDaniel knows the Selectmen have no jurisdiction over the appointing of Fire Department personnel, but knows the Selectmen has jurisdiction over the approval of the Fire Department budget. Chief Brock told Ms. McDaniel that he is tying up two weeks of his vacation to help with the budget. In his mind he has justified his actions. Chairman Bartolini stated, if the Chief has money in his budget, then he is personally satisfied with this action.

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Jean Bigelow of the Southborough Villager asked if the Selectmen were going to vote to override Proposition 2½? Chairman Bartolini replied that at this time the Board of Selectmen does not know what it is going to vote on this issue. It is too premature to make a decision on this.

CORRESPONDENCE NOTED BY THE BOARD:

January 4 letter from the State Department of Manpower Development announcing public hearings on the future of Federally funded employment and training programs. CETA will expire September 30, 1982 as CETA funds are running out.

January 6 letter from Edward G. McCarthy, enclosing photographs of a water flooding problem in the cellar of his home at 181 Cordaville Road. Mr. McCarthy would like some form of assistance to solve this prevailing problem. John Boland said this is a major job and would take heavy machinery to clean the brook out properly. The MDC has refused to clean it out in the past. Chairman Bartolini said a License should be signed by the property owners so that someone can go through the properties involved. A letter should be sent to Mr. McCarthy as to what is or can be done. Ray Davis, Commissioner for Southborough with the Central Massachusetts Mosquito Control Project of Northborough, should be contacted re Mr. McCarthy's

statement that the Mosquito Control people agreed that this is a high percentage breeding source but have taken no action.

9:46 pm VOTED: to adjourn the meeting.

mrp

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, January 19, 1982

7:40 p.m. Meeting convened in the Hearing Room. Present were: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Secretary Marjorie Putnam, and members of the press. (Administrative Assistant Jeffrey Grossman left at 7:41 p.m. to meet with the Advisory Committee regarding Selectmen's budgets.)

Treasury Warrants signed by the Board:

\$ 21,782.79	#116	\$ 25,926.61	#118
\$400,000.00	#117	\$ 18,624.57	#119

PERMIT GRANTED:

30-day renewal of Temporary Office Trailer Permit granted to John Bartolini of 41 Deerfoot Road re his trailer at Skylar Drive (Stonehenge Subdivision), Parkerville Road S. Motion was made by Sel. Cipriano, voted by Sel. McAuliffe and Sel. Cipriano. Chairman Bartolini abstained from voting.

APPOINTMENT:

Gail M. Hoss, 184 Middle Road, Southborough, as a Registrar of Voters to fill the unexpired term of Dorothy F. Grady. Mrs. Hoss' term is to expire May 1983.

CONTRACT AWARDED:

To Rene Press, Inc., 245 Crawford Street, Fitchburg, MA for the printing of the Annual Town Report for 1981 and Advisory Committee's Report for 1982. Rene Press was the lowest bidder of two bids opened on January 18, 1982. Summary of these two bids are as follows:

<u>PRINTER</u>	<u>TOWN REPORT</u>	<u>ADVISORY REPORT</u>	<u>TOTAL</u>
	100 pages	60 pages	
The Rene Press, Inc. Fitchburg, MA	2000 copies-\$27.76 per page 2100 copies-\$28.10 per page 2200 copies-\$29.00 per page	\$18.86 per page \$19.00 per page \$19.25 per page	\$3,907.60 \$3,950.00 \$4,055.00
Quikprint Southborough, MA	2000 copies-\$28.00 per page 2100 copies-\$27.50 per page 2200 copies-\$27.00 per page	\$29.00 per page \$28.50 per page \$28.25 per page	\$4,540.00 \$4,460.00 \$4,395.00

SCHEDULED MEETINGS:

...no appointments were scheduled...

CORRESPONDENCE:

Regarding December 11, 1981 letter received by the Board from Henry Holmes, District Highway Engineer, Worcester, regarding the State's plan to replace Bridge No. S-20-5 (Rt. 85, Marlborough Road, over Conrail) and place a sidewalk on Marlborough Road, the Board voted unanimously to send a certified letter to Mr. Holmes requesting that (1) the State proceed with the proposed bridge construction under the Bridge Replacement Program, (2) the project be extended so as to include the Framingham Road/Marlborough Road intersection; and (3) the State to construct a paved sidewalk on the west side of Rt. 85 (Marlborough Road).

Board noted 1/13/82 letter from State Committee on Criminal Justice, Boston, inviting the Board to attend a workshop on "Managing Police Resources Under Proposition 2½".

Board noted 1/18/82 letter from State DPW, Boston, regarding additional State Aid Highway Funds. The amount of funds to be made available to Southborough for FY 1982 and FY 1983 is \$26,580.00.

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Re: A. J. Lane Site Plan

Chairman Bartolini extended an invitation to the other members of the Board from Joseph Green (spokesman for the abutters to the proposed A. J. Lane office building to be constructed at 225 Turnpike Road, corner of Parkerville Road North) to a meeting to be held at the office of A. J. Lane in Framingham. Mr. Lane wants to iron out any problems the abutters may have before the final site plan hearing is held. Sel. McAuliffe and Ch. Bartolini plan to attend this meeting. Sel. Cipriano will not be attending the meeting.

8:06 pm VOTED: to adjourn the meeting.

*Marjorie R. Putnam*

Marjorie R. Putnam, Secretary

MRR

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, January 26, 1982

7:30 p.m. Meeting convened in the Hearing Room. Present were: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie Putnam, and members of the press.

No appointments were scheduled for this evening.

Treasury Warrants Signed by the Board:

\$ 1,305.60	#20 Revenue Sharing	\$ 7,808.99	#122
\$ 94,295.40	#120	\$168,704.59	#123
\$670,000.00		#121	

PERMITS GRANTED:

(1) Unanimous vote: 30 day renewal of Trailer Permit issued to Michael Gulbankian, 40 Mt. Vickery Rd., (2) unan. vote: 30 day renewal of Trailer Permit issued to Exxon Co., 344 Turnpike Rd.

APPOINTMENTS/RESIGNATIONS:

(1) Regarding appointment by the Board on January 19, 1982 of Gail M. Hoss, 184 Middle Road, as a Registrar of Voters, due to the fact that the 45 day waiting period had not lapsed on January 19, 1982, the Board unanimously voted to amend its vote and add that this appointment is to be effective as of January 26, 1982. Town Clerk and Gail Hoss to be so notified.

(2) Board appointed Lindsay C. Hubley, 210 Southville Road, Southborough, as a member of the Conservation Commission to fill the vacancy caused by the resignation of Delia Mulvaney. Board's roll call vote was: Chairman Bartolini For; Selectman McAuliffe For; Selectman Cipriano: abstain.

Selectman Cipriano made the first Motion that the Board continue this matter to next Tuesday at which time the Board would interview in public the three candidates to see who was the best qualified. Since there was no second to this Motion, it failed.

Selectman McAuliffe made a second Motion that Linda C. Hubley, 210 Southville Road, Southborough, be appointed as a member of the Conservation Commission to fill the vacancy caused by the resignation of Delia Mulvaney. Sel. Cipriano seconded the Motion for the purpose of discussing the matter.

Discussion on Selectman McAuliffe's Motion: Sel. Cipriano believes that since his candidate, Arnold Gustafson of 19 Oregon Road had sent in his resume', that the other two candidates should

also send in a resume' and that they should all be interviewed publicly. He questioned the selection of a candidate by the Board if it has no background material before it. He feels that Chapter 131, the Wetland Protection Act, is an extremely important one and a candidate should be carefully selected. Ch. Bartolini stated that the Chairman of the Conservation Commission telephoned him to inform the Board that the Commission believes Linda C. Hubley is the best candidate for the position. The Selectmen usually go along with the recommended candidate by the majority of the Committee or Board as they are the one that has to work with the person.

Chairman Bartolini asked Sel. Cipriano why, if he felt so strongly that these people should be interviewed, he didn't interview them before tonight's meeting. Sel. Cipriano replied that he did not have any authorization to interview these people by himself. They should be interviewed publicly by a majority of the Board of Selectmen. Sel. Cipriano questioned the other two members of the Board as to when the Conservation Commission recommended the same two names in August to fill a vacancy at that time, why the Board chose Robert Hoss, not one of the suggested names. Chairman Bartolini replied that the Board felt that Mr. Hoss had better qualifications at that time than the two listed names.

Selectman Cipriano made another Motion that the Board, under Section 27 of Robert's Rules, reconsider the Board's vote of the Conservation Commission member. As this Motion was not seconded, it failed.

The press at this time asked each member of the Board of Selectmen to clarify their position on the method of choosing a person to fill a vacancy such as this.

Selectman Cipriano said he had no objection to this individual. He did have objections to the selection method. When you have two or three individuals who have asked to be considered, he feels the best procedure would be to seek resumes from the other two individuals in order to compare qualifications and to then conduct a public interview. Sel. Cipriano at this time does not know what Linda Hubley's qualifications are.

Chairman Bartolini said the Board has three options: (1) to use the forum method, (2) to know the individual personally, and (3) to go by the recommendation of the Board involved. Ch. Bartolini chose to rely on the Chairman of the Conservation Commission Brian Mauro who indicated that Linda had gone to school for this and that he wanted Linda Hubley to fill the vacancy on the Commission.

Selectman McAuliffe concurred with Chairman Bartolini. The Board has usually gone along with the recommendation of the Board that needs a vacancy filled. The Board of Selectmen trusts that the Board involved has checked the qualifications of the recommended individual.

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Selectman McAuliffe brought up the following matter: He had received a telephone call from Robert Somers of 84 Sears Road complaining that snowmobiles are continually traversing on his property and other residential property on Sears Road. Mr. Somers has voiced his concerns to the Police Department and has talked to Police Chief Baker as to a possible solution to this continuing problem. The snowmobiles have been unable to be caught due to the fact that by the time the Police Officer can arrive at the site, the snowmobile has disappeared. The snowmobiles come at various times of the day, no set pattern. Therefore, Mr. Somers inquired as to whether or not the Selectman can aid in resolving this situation. Mr. Somers has talked to his neighbors and they are agreeable to Mr. Somers' being appointed as a Special Police Officer for that particular area only. They thought perhaps this might frighten off the snowmobilers who are trespassing and alleviate the situation. Mr. Somers also is drafting a petition which he and his neighbors would like entered in the Town Warrant for ATM 1982 similar to the Hunting Article passed at last year's Town Meeting prohibiting trespassers from using any property without the owner's prior permission.

Discussion: Chairman Bartolini stated the ATM Article is a good idea but hesitates to make anyone a Special Officer for a specific property as was done in the past. Sel. McAuliffe informed the Board that Mr. Somers expressed a willingness to take any required training and understands the responsibility which would go with the appointment. Chairman Bartolini suggested another possible way to resolve this matter without appointing a Special Police Officer, and that is to have Mr. Somers contact the Southborough Snowburrows snowmobile organization - perhaps Harvey Bigelow of Bigelow Road - as this organization would know practically all snowmobilers in the area. Perhaps they could patrol the area in question and see that this situation does not occur in the future. Selectmen agreed to try this measure first. Perhaps this group can act as observers and witnesses, getting license numbers, etc. If this does not work, something else will have to be considered to resolve this problem.

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Selectman Cipriano informed the Board that he is appalled by the condition of Route 9 in the Southborough area, as are the residents of Route 9 and the Police Chief. The conditions have been and are extremely hazardous. The State Department of Public Works did not make the Southborough section of Rt. 9 safe directly after the recent snow/ice storm. Sel. Cipriano proposed that a letter should be sent to the DPW expressing the Board's deep concern, or perhaps a telephone call should be placed to the Worcester DPW. Highway Supt. Boland had contacted the DPW regarding the condition of the road. In particular, there was a bad 4-car accident right after the storm due to bad road conditions on Rt. 9. The Westborough section of Rt. 9 is also in bad condition. Ch. Bartolini stated that this section of Rt. 9 is maintained by a private contractor

hired by the State. Ch. Bartolini has a meeting in the area of the Worcester Department of Public Works and will make it a point to see Henry Holmes, District Highway Engineer of the DWP in Worcester. Ch. Bartolini will relay the Board's concerns about Route 9.

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CORRESPONDENCE NOTED:

1/19/82 letter from Henry Holmes, District Highway Engineer, Worc. DPW, regarding Road Inventory Update, that computerized printouts dated 12/31/80 (with decoding manual) had been delivered to Highway Supt. John Boland.

January 18, 1982 invitation by Mass. Municipal Assoc. to the Seventh Annual Legislative Conference scheduled for 3/27/82 at the House of Representatives Chamber at 9 am. Chairman Bartolini said he would attend.

January 12, 1982 letter from Senator Daniel J. Foley regarding legislation filed in 1981 relative to the State takeover of County Government. This legislation has died and Senator Foley continues to oppose State takeover of County Government and intends to maintain this position.

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When queried, Ch. Bartolini informed the press that to the best of his knowledge, the Southborough Advisory Committee had not voted on any budgets, that it wanted to consider all the budgets as a whole before voting.

Regarding vacancies existing in the Recreation Commission, South Middlesex Opportunity Council, Historical Commission and the Industrial Development Commission, letters are to be sent to the Chairmen asking for their recommendations.

8:22 p.m. Unanimously VOTED: to adjourn the meeting.

*Marjorie Putnam*  
Marjorie Putnam, Secretary

mrp

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, February 2, 1982

7:30 p.m. Meeting convened in the Hearing Room. Present were: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, members of the press, and several interested citizens.

Treasury Warrants signed by the Board:

\$ 57.20	Revenue Sharing #21	\$ 19,650.12	#125	\$ 26,896.36	#127
\$ 31,622.71	Revenue Sharing #22	\$281,000.00	#126	\$ 23,719.42	#128

PERMITS GRANTED:

- (1) Permission granted to The Snowburrows, Inc. (Richard Hunt, President) to block Bigelow Road (from Numbers 30 through 44) from the hours of 10 a.m. to 3 p.m. on Saturday, February 20, 1982 for its Annual Handicapped Children's Outing. Unanimous VOTE of the Board. Police, Fire and Highway Departments to be notified.
- (2) Permission granted to Southborough Cultural Arts Council and the Southborough Lions Club (c/o Lois Coit) to put up signs at the corners of Rts. 85 and 30 and at the corner of Framingham and Boston Roads, as per their letter dated 1/29/82.

LICENSE APPROVED:

One day Special Permit granted to Southborough League of Women Voters (Inge Tufts) to sell wine and malt beverages at a Theater party at St. Anne's Hall, Boston Road, on Saturday, March 20, 1982 from 6-8 pm.

SCHEDULED MEETINGS:

8:00 p.m. Meeting held at the request of Robert Somers of 34 Sears to Road regarding continuing problem with snowmobilers  
8:24 p.m. trespassing on his property and in the area. Present were: Mr. and Mrs. Somers, Police Chief William Baker, members of the Southborough Snowburrows, Inc. organization - Harvey Bigelow, Richard Hunt (President) and other interested residents of the area in question. Mr. Somers complained that snowmobilers are traversing his property and neighboring property making noise, littering etc. Upon checking with his neighbors such as Paul O'Connell, Jr., Charles Swartwood et al, he found they were having worse problems with the snowmobilers at 1 or 2 am. Last summer he and the neighbors have had problems with dirt bikes, automobiles in the woods, late parties, and brush fires.

Scheduled Meetings continued:

They were all worried about the brush fires due to the continuing drought problem. He fears a major fire occurring in the area. He was considering asking the Selectmen to put a by-law in this years Annual Town Warrant similar to the hunting by-law passed last year, i.e. prohibiting snowmobilers from trespassing until they have received written permission from the owner(s). Mr. Somers also wanted to know if the Board would consider appointing him as a Special Police Officer just for his property. As it stands now, the Police are unable to catch the intruder(s) as by the time the Police can get there, the intruder(s) is long gone. The neighbors are concerned with the increasing number of problems on Sears Road such as at least 8 or 9 burglaries, rape, suicide, etc.

Chairman Bartolini said the appointing of Mr. Somers was not a good idea due to the fact he has had no training and could conceivably get himself killed. An intruder would pay more attention to a police officer than he would a Special Officer. Regarding the fire problems in the area, this should be taken up with the Fire Chief. The Snowburrows organization would be in a better position to find out who the intruder(s) is.

Harvey Bigelow of the Snowburrows organization said he is sure the snowmobiler intruder on Sears Road is not a member of his group. All that is necessary to keep people out is to put up a No Trespassing or No Snowmobiles sign. Just don't put up a wire or logs - perhaps a gate and/or a sign. It is against the law to put up any dangerous barriers.

Richard Hunt, President <sup>of</sup> ~~heard~~ the Snowburrows said this is the first complaint he has <sup>had</sup> regarding snowmobiles. He is also sure it is not a member of the Snowburrows club. His organization have a designated section and they have a permit for the section. It is away from all buildings and houses. Mr. Hunt said registered vehicles have 3" numbers on their license plates, are reflectorized and have yellow stickers. In the day time the license numbers are easy to see.

Richard Depina (65 Flagg Road) said he has always used a designated area near the Neary School and the MDC, and parallel to the access road of St. Mark's School. No one has ever stopped him. He said he doesn't live far away and would be willing to help find out who the intruders are.

Another Snowburrows member said that the rules say that at 11 p.m. you should be gone from the premises.

Selectman McAuliffe stated that the intruder is possibly someone from outside of the Town of Southborough and that it will be difficult to identify the person (s). He is not sure a by-law of our Town could be enforced on an individual from out of town. Selectman McAuliffe and Selectman Cipriano believe that the Snowburrows organization may be able to help and should be given a chance to try. The restrictive by-law may not help and would penalize the wrong people.

Scheduled Meetings continued:

Richard Hunt said that the Snowburrows club meet the second and third Thursday of the month at the new Fire Station, 21 Main Street. He would hate to see a restrictive by-law passed. His organization has received many thank-you letters from the Police and Fire Departments and State Police for the work they have done in the past helping them.

Mr. Harvey Bigelow asked for and received permission verbally from Mr. Somers to go onto his land to help catch the intruders. He told Mr. Somers to call anytime and he will try to help resolve the snowmobile problem.

Mr. Somers said he would not put in his request for a restrictive by-law at this time and would see what the Snowburrows can do to help.

No more meetings were scheduled.

**DISCUSSIONS:**

Re: PROPOSITION 2½ OVERRIDE

Selectman McAuliffe brought up the subject of the question of whether or not the Board wanted to vote to allow the overriding of Proposition 2½. He suggested that the Board consider leaving well enough alone and not put the question on the ballot this year.

Selectman Cipriano agreed and said that it would not be good to tamper with a public mandate which was clear approximately a year ago. He had mixed feelings as to whether or not the Board should give the voters an opportunity to pass on it but came to the decision as stated by Selectman McAuliffe on the ballot issue. Selectman Cipriano believes that the public would not want an override at this time. If there is a public outcry, then the Board can reconsider its position. In Selectman Cipriano's opinion the whole override concept was created by the larger cities who have had large problems. Southborough does not have these problems as management is excellent and community service is the best. Southborough is an example of how government should operate.

Chairman Bartolini concurred with Selectman McAuliffe and Selectman Cipriano and it was UNANIMOUS VOTE not to put the override question on the ballot this year.

Re: SCHOOL BUS VIOLATIONS

Selectman Cipriano stated he was pleased that all the violations have been corrected at this date. He wants to see that this problem does not occur in the future by having some provision in future school bus contracts regarding inspection of the buses - have it a binding obligation of that contract. Chairman Bartolini said that the Town Counsel is meeting with the School Committee

School Bus Violation Discussion continued:

this Friday, February 5, to discuss this situation. Chairman Bartolini does not want to interfere with the School Committee as it is the School Committee's responsibility. Selectman Cipriano questioned as to whether these violations constituted a breach of contract.

ROUTE 9/ROUTE 30 ROAD CONDITIONS

Selectman Cipriano brought up the fact that these roads had extremely icy conditions the other night with 22 cars having accidents on Rt. 9 and 8 on Rt. 30. We can't get State DPW to maintain these highways. The State claims cutback in budget for sanding, lack of communication, etc. Selectman Cipriano questioned why the Town has to ask for plowing and sanding. Why don't they just do it? Police Chief Baker said he keeps getting confusing answers as to just which State District of the DPW maintains portions of Southborough. He is going to the Worcester DPW officials to get this problem settled once and for all. Chairman Bartolini said he had a recent meeting with Mr. Henry Holmes, District Highway Engineer for the DPW. He suggested Southborough call his office and he would take care of contacting the proper people. Chief Baker said nine and a half hours had passed between his putting in a call for sanders and the time one was spotted in Southborough. Worcester DPW said they will take the responsibility for both Rt. 9 and Rt. 30.

8:48 p.m. VOTED: to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

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MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, February 9, 1982

Hearing Room

7:30 pm Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Admin. Assistant Jeffrey A. Grossman, Police Chief William D. Baker.

Treasury Warrants signed by the Board:

\$ 322.41	#23 Revenue Sharing	\$ 6,716.20	#131
\$ 98,298.77	#129	\$ 39,661.58	#132
\$ 154,000.00	#130		

Appointments/Resignations:

Dr. John G. Palfrey, Jr., 3 Cordaville Road appointed to the Recreation Commission. Letter from Joseph Madison, Chairman requesting this appointment. Unanimous VOTE.

Board noted Rev. Raymond G. Anger resignation as Honorary Police Chaplain and Special Police Officer as he will be moving out of Town after February 19.

Notice from the Board of Health dated February 4, 1982 that they appointed Dorothy Manning as the Board's representative to the Community Hazardous Waste Task Force.

February 3rd letter from Michael P. Healy re South Middlesex Opportunity Council Board of Directors vacancy. SMOC needs a representative from Southborough before February 16 meeting and the Chairman of the Board of Selectmen can nominate himself to the Board and appoint an alternate to serve as a permanent representative to the Board in his place. Therefore, Chairman Bartolini nominated himself and Edgar A. Phaneuf, Jr. to be his alternate. Administrator to contact Michael Healy. (Most of the meetings are day meetings, not very long and some functions are in the evenings stated Louis Bartolini.)

Contracts Awarded:

February 4, 1982 letter from Boston DPW enclosing Contract No. 30865 duly signed by the Board of Selectmen and the DPW re work to be done under Chapter 90, Section 34 M.G.L. under State Aid allotment \$44,494.00.

CORRESPONDENCE:

February 5 letter from William D. Baker, Chief of Police, re his being offered a chance to attend the F.B.I. National Academy in Quantico, VA sometime between August 1982 and 1984, a ten week course at no expense to the Town. Chairman Bartolini said "We are very appreciative of this letter from Chief Baker. Mr. Baker and three other chiefs are the only chiefs in New England chosen for this nomination for intense training by the F.B.I.

National Academy in Quantico, Virginia. We are very happy that he was chosen and will accept a nomination from either one of my colleagues". Unanimous VOTE.

New England Telephone wants to purchase a half interest in poles belonging to Mass. Electric, as follows:

Marlborough Road beginning at a point which is approximately 211 ft. southerly of Ledge Hill Road and continuing southerly 10 poles

Marlborough Road at a point which is approximately 188 ft. northerly of School Street 1 pole

at a point approximately 377 ft. northerly of School Street 2 poles.

UNANIMOUS VOTE OF THE BOARD.

Chairman Bartolini said "We should be careful. This area requested is all right. But if we go further north in this particular area, and I don't know if the Electric and Telephone Companies know it, but there is a new bridge going further so if they are relocating any poles north of that bridge, they should be aware of the fact and contact the Mass. DPW".

8:00 pm Meeting with Joseph Prior owner of Fitzgerald's General Store. Joseph Prior stated the following:  
"I am the owner and operator of Fitzgerald's General Store. I am here to request ten additional video licenses. Our machines are never turned on before school. Never. Never have been or will be. We obviously know what the problem would be if we did. The place is kept clean. It is neat. It is a very nice clean place. We have all kinds of room down there. There is no problem with room. It is not going to hurt the General Store itself. We have closed circuit T.V. governing the machines at all times. There is always one<sup>or</sup>four family down there as well. We don't tolerate any swearing or any garbage down there whatsoever. The kids know this and they know they can be banned from there. I talked to the Police Department and I understand there is surveillance down at the south end. I won't say it is because of the machines but it certainly gives the kids a place to go. They come down there. They invest quarters in the machines. Some of those kids could probably spend 20 minutes with one quarter. They become very coordinated. We keep close watch on them at all times. We have had no problems down there. No complaints whatsoever from anybody in the neighborhood. It is all neighborhood kids. The average age of the kids playing the machines is probably 14 and over. We have an awful lot of adults playing the machines who put quarters in. The reason we need these machines is a couple of reasons: (1) I had a heart attack in October and we had to get rid of the used furniture business. (2) We had to close the restaurant down and the store needs that income. The store can't exist without that income. I am requesting of this Board ten more licenses with whatever restrictions they want to put on them. You always have the final say of pulling the licenses back any given time.

Selectman T. W. McAuliffe: I have inspected the machines, in the area ~~he has the machines~~ on many occasions. Those individuals that play those machines have always been orderly. I have never heard of or seen any complaints coming as a result of individuals using those machines at Mr. Prior's General Store. I do know that he does keep a tight reign on the machines. He has done a good job and I believe that those kids are probably much better off playing those machines than they are out hanging around the street corners or spending their money on other items that could cause them future grief.

Selectman A. A. Cipriano: I submit to the Board at this time that pursuant to the provisions of Chapter 140, it would probably be, in my estimation, appropriate to further discuss the proposal made tonight as Mr. Prior has not made official application before this Board. The matter should cease right here as we are the Licensing Authority that is listening to a protracted proposal or a partial proposal without being compliant with C. 140 relative to an application process.

Police Chief Baker: It is certainly not why I am here but since I am here I would like to repeat what Mr. McAuliffe said. We have not received any complaint regarding the operation of those machines, neither have we had any problem whatsoever with regard to the use of these machines.

Selectman A. A. Cipriano: There are other provisions which regulate public amusements which could constitute an arcade-type atmosphere. That particular statute was amended in 1979 and sets out a very comprehensive procedure for hearing and sets out specific reasons why this Board should and should not, given a number of coin-operated machines as defined in the section, and further, even though we are discussing something which may be inappropriate at this time, that it should be known as a point of information that what possibly may be proposed in the future is a public amusement center or an arcade.."

Mr. Prior objected at this point.

Mr. Cipriano continued: "one arcade which would constitute totally video games."

Joseph Prior: Mr. Cipriano is assuming something. That is not fair.

Chairman Bartolini: He is reading the statute right out of the book.

Joseph Prior: He is assuming something that I am going to open up an arcade. That is not true. The addition of ten more machines which is not an arcade. Not 60 machines.

Chairman Bartolini: What would you call it?

Joseph Prior: I call an arcade 40 or 50 machines. That is an arcade.

Chairman Bartolini: Would you call it a place of amusement?

Joseph Prior: We are giving a place where young adults can come down and entertain themselves rather than robbing people or beating people or breaking street lights or anything else. I know Mr. Cipriano's strong feelings about the machines. This is not Marlborough. This is Southborough. Marlborough probably has 500 times the children we have in our Town. We don't have that kind of input in our Town. We are a nice, young legitimately-run Town. I'm not asking for any arcade. I am asking for ten licenses. I don't see the problem. We have had a decently run operation. It is well controlled. You control the licenses. You can pull them any time you want.

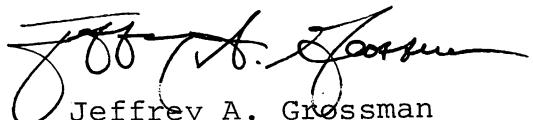
Selectman McAuliffe: I might suggest that Mr. Prior be advised as to what steps he must take in order to apply for the additional licenses and reschedule the meeting with the Board.

Chairman Bartolini: In view of Mr. Cipriano's reading of the statute, I would suggest that you formally put a permit before the Board. This is more than the usual one machine, two machines. You are setting aside a room especially with closed-circuit T.V. as a place of amusement for your machines. If the Board is going to do anything, we are going to do it right.

All agreed to the above, that formal application should be made and another meeting scheduled.

8:12 pm Joseph Prior left the meeting.

8:14 pm VOTED: to adjourn the meeting.



Jeffrey A. Grossman  
Administrative Assistant

ajm

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, February 16, 1982

7:30 p.m. Meeting convened in the Hearing Room. Present were: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, members of the press and interested citizens.

Treasury Warrants Signed By The Board:

\$ 1,208.00	Revenue Sharing #24	\$262,346.29	#134	\$565.36	#137
\$ 57.30	Revenue Sharing #25	\$ 26,582.66	#135		
\$ 20,476.54	#133	\$111,995.61	#136		

**PERMITS GRANTED:**

Unanimous VOTE to renew two temporary trailer permits for another 30 days - issued to Hugh Dalzell dba Country Motors, 90 Turnpike Road, Fayville.

**CONTRACT SIGNED:**

Fiscal 1983 and Fiscal 1984 Agreement with Southborough Police Association.

ANNUAL TOWN WARRANT signed by the Board of Selectmen (41 Articles).

PARKING FINES: In accordance with fees suggested by 1/27/82 letter of Treasurer/Collector Mary B. Guilford, and in accordance with Chapter 90, Section 20A of the Massachusetts General Laws, the Board unanimously VOTED the following schedule of Parking Fines:

**SCHEDULED MEETINGS:**

8:00 p.m. (unscheduled) John Nutter of the Registry of Motor  
to Vehicles spoke to the Board regarding his recent  
8:05 p.m. inspection of the Boutilier school buses. He was the  
Registry man who investigated the school bus accident  
and at the request of the School Committee, the rest  
of Mr. Boutilier's school buses. Only two were considered unsafe  
and were immediately taken off the road due to inadequacy of the  
brake system.

State rules are more stringent regarding school buses than for passenger cars. Brakes have to stop a school bus in 33 ft. at 20 m.p.h. One bus stopped at 52 ft. and the other stopped at 48 ft. This is considerably more than the required stopping distance. One bus had a slight leak in the master brake cylinder. Both buses could stop but not within the required distance. Other "violations" were a headlight out, tail light out, emergency door buzzer was stuck and did not indicate if the door were open, etc. These busses were not totally unsafe vehicles. Problems had just started to show regarding the draglinks. Sometimes weather conditions such as severe cold air on hot filaments in the lights cause failures. The draglinks were just starting to show problems and were not unsafe at the time. Inspections are conducted five times each year by the Registry: In August, November, January, March and May. In addition, the State Inspections are in April and October. No major defects were noted on these busses. These busses had passed all inspections. Other things are checked such as fire extinguishers, first aid kits, condition of the seats, whether or not there are leaks in the exhaust system, etc. It takes about ten minutes to check out a school bus. Mr. Nutter said if the draglinks were not replaced if a severe problem arose, then the steering of the bus would be affected. Also a defective tie rod could affect the steering of the bus and the stabilizing of the wheels.

8:09 p.m. Paul Brefka, Chairman of the Fire Station Study to Commmittee of THUG, and committee members met

8:42 p.m. with the Board to discuss the sale of the old Fire Station at 5 Main Street and also questions of the THUGS plan for the balance remaining in the Thug account.

First: the Thug balance at present is \$12,513.38. The committee has set its priorities. They feel committed to completing the microfilming of the old town records to bring it up to present. They also feel the need to purchase a sound system for the Hearing Room. A good one should cost between \$6-8,000. They have committed around \$1,500 for a sign for the front of the Town House. \$4,000 or \$5,000 will remain. They would like to put this in a maintenance fund to insure that microfilming is complete.

Second: Report on the status of the fire station. Mr. Brefka said that at a recent meeting he attended, a letter dated 2/6/82 from Lawence Susskind to the Board of Selectmen was presented to him by the Accountant of Angelo Baltas, the proposed developer of the old Fire Station. Mr. Brefka felt that this letter should have been directed to the Committee directly from Mr. Susskind as it concerns his committee. The letter suggested the town create a Betterment District so that bonds could be issued to cover the cost of building a septic system adequate to permit a 100 seat restaurant/pub as well as other retail uses on the site. Mr. Brefka said that Mr. Baltas' proposal was one of the two proposals received.

The Committee has been evaluating the two proposals. One developer has pulled out and Mr. Baltas has continued to pursue the matter. The Committee suggested that Mr. Baltas contact the Southborough Board of Health which he did. The State Board of Health would allow 50 chairs for the proposed restaurant/pub. The Southborough Board of Health, whose regulations are more strict than the State, only will allow 15-25 chairs. They say a septic system for 50 people would cost \$32,000 instead of the original \$10,000. Fifty was a break-even point. Anything else would be unprofitable. Mr. Baltas would like the Board of Selectmen to ask the Board of Health to (1) waive its restrictions on that parcel of land and/or (2) the town to take by eminent domain the Massachusetts Electric-owned land abutting the old fire station site in order to expand the site to get more area to properly perc. Mr. Baltas was only going to use the main building. He planned to tear down the sheds. He would follow the landscaping plan and have the parking out back. Mr. Brefka said he did not approve of the Betterment District. Mr. Baltas should deal with the Massachusetts Electric Company regarding the land matter, not the Town. It is the old problem of sewerage. Maybe the usage is wrong. The Committee wants to make a recommendation that is an enduring sale, one that will stay. Restrictions can be placed on the sale and the deed. The Committee wants to protect the Town by selling this property to someone successful. The Committee has had other inquiries. Three other people are looking at the property. A decision has to be made regarding Mr. Baltas. If he can't get the waiver or the additional land, then he will back out.

The Selectmen said the Town can't use eminent domain for private land purchase under M.G.L. Chapter 79 and believe that Mr. Baltas himself should offer to buy said land of Massachusetts Electric Company.

Question arose from the audience as to why doesn't the Southborough Board of Health issue a list of what business can go in there that the septic system can handle. Mr. Brefka said they won't do it. They want to act on each request as it comes.

The question of heating the old fire station was discussed. It cost \$2,500 last year to heat this building. Selectman McAuliffe remembered the Water Commissioners promising to heat the building while they used it to store their vehicles. This should be looked into. The building should be heated during the winter so that it will not deteriorate before it is sold.

Mr. Brefka asked the Selectmen to write a letter to him that (1) The Board of Selectmen will not recommend to the Board of Health that they waive Title V of the Massachusetts State Sanitary Code for Sub-Surface Sewerage Disposal to alleviate the requirements for the construction of the septic system for Mr. Baltas' proposal; and (2) that the Board of Selectmen shall not seek to obtain land abutting the old fire station which is owned by Mass. Electric Company through eminent domain.

Therefore, as a result of above, it is apparent that Mr. Baltas will not be able to meet the stipulated requirements by the Selectmen and the Committee and there seems to be no other course of action except to reject the proposal of Mr. Baltas.

8:44 p.m. Meeting with William Linnell as a private citizen to and not as a member of the School Committee. Many 9:37 p.m. interested parents were also present. Mr. Linnell said he asked to speak to the Board about a possible abatement for services which was not rendered by the Boutilier Bus Company. Mr. Linnell presented to the Board a letter dated 2/16/82 to which was attached a report from concerned parents about the poor service by this bus company. Selectmen said it is impossible for them to set a dollar figure for an abatement of this kind. It is solely up to the School Committee to do this. The School Committee should be contacted plus the Business Manager and Superintendent of Schools. Mr. Linnell said he approached the Selectmen as he felt the School Committee was not responding to his concerns and that the Selectmen was a responsible board and could help in this matter. Mr. Linnell would like the Selectmen to ask the School Committee for a breakdown on the bills for services by this bus company. The parents present said the recent School Committee meeting was not responsive to a request by them to cancel the current contract with this company. Selectman Cipriano said he did not sign the School Committee's Warrant for payment to the Boutilier Company. Chairman Bartolini and Selectman McAuliffe felt that it was not fair to hold up the whole bill while awaiting for a possible abatement. Chairman Bartolini said the proper form is to ask the School Committee for information and ask what financial adjustments were or will be made. But the chief concern of everyone is the children. Cyd Ostrovsky said at the School Committee meeting she attended recently, it was stated that the bus company, starting the following Monday, would be in shape, would be running orderly or an emergency meeting would be held and the contract will be terminated at that time. Mr. Linnell stated that right after the School Committee meeting, another bus broke down. Selectmen informed the group that our Police Department was also checking up on the bus situation. The Board of Selectman agreed to ask the School Committee, whether or not, in light of the bus complaints and problems an abatement is in order.

9:38 p.m. VOTED: to adjourn the meeting.

*Maryorie R. Putnam*  
Maryorie Putnam, Secretary

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, February 23, 1982

7:30 p.m. Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie Putnam, members of the press and interested citizens.

Treasury Warrants signed by the Board:

\$ 94,140.40	#138	\$ 6,272.80	#140
\$478,543.82	#139	\$ 30,352.72	#141

PERMIT GRANTED:

Unanimous VOTE granting 30-day renewal of temporary office trailer permit to Exxon Co. for 344 Turnpike Road.

LICENSES GRANTED:

1-day Special License granted to Southborough Lions Club c/o Charles S. Aspesi for a dance at Reinke Building, Middle Road, on Friday, February 26, 1982 from noon to 1 a.m.

A Special License granted to Southborough Players, Inc. c/o James Myers, President, for a play at Benson Auditorium, St. Mark's School, scheduled for March 19, 20, 21, 26, 27, 1982 from 6:00 p.m. to 11 p.m.

JURORS DRAWN:

In the presence of Constance Maida Town Clerk's Administrative Secretary, the Selectmen, drew three Traverse Jurors to serve April 5, 1982 in the Worcester Superior Court: (1) Mary D. Coldwell, 83 Middle Road; Joan C. Franks, 6 Reservoir Drive; and (3) John P. Gargan, 213 Middle Road.

SCHEDULED MEETINGS:

7:38 p.m. Joseph F. Prior, Jr. (d/b/a Fitzgerald's Wine Cellar) met to again with the Selectmen to discuss his application for  
7:56 p.m. Automatic Amusement Device Licenses for ten additional video game machines at his store located at 110 Southville Road. Selectman McAuliffe stated that he had no objections to granting theses licenses but suggested that the Board refer this matter to Town Counsel in order to have some type of laws by which the the Board could govern operations of the establishments that have this particular type of machine.

Scheduled Meeting Continued:

Selectman Cipriano agreed with Selectman McAuliffe about referring this matter to the Town Counsel for his legal opinion. Mr. Prior said that he had made a statement regarding why he wants and needs these machines when he met with the Board on February 9, 1982. He said there are no problems at his store. He turns the machines on at 10 a.m. after school has started. He turns them off at 10 p.m. weekdays; 8 p.m. on Sunday. The machines he has now are in the basement of the building where the store originally was. There is room for at least 60 machines. He only wants to put 13 there-the three he has and the 10 additional machines he is requesting tonight. The area for the machines will be roped off. You go down the stairs right into the game room, in full view of everyone. He has closed circuit T.V. and someone in his family is usually down there. The monitor is near the cash register in the general store. There is a side exit in the room which will be used for people going in and out. The majority of the traffic will go out through the side exit. Mr. Prior does not expect much more than a 15% increase in traffic. He has closed down his restaurant and the furniture section and most of the kids in the neighborhood walk to his store. He stated that 50 per cent of the people using the machines are children and the rest are adults. He anticipates no parking problems. Part of the parking area is paved (in the front) and the rest is unpaved and in a "bumpy" condition. Mr. Prior, upon questioning by Selectman Cipriano, stated that he has a Package Store/Wine and Malt Beverage License, that he has not been convicted of any crime or gambling charges. He only asked for ten more machines as that is what he needs to keep his business going. His store is approximately one-quarter of a mile from South Union School. He assured the Board that the video machine people did not ask him to apply for these licenses nor did they offer their assistance to help him obtain the permits.

Selectman McAuliffe made a Motion, seconded by Selectman Cipriano and it was VOTED unanimously by the Board as follows:

"That this matter be referred to Town Counsel for his advice on such rules and regulations as the Board may see fit to adopt which would govern any type <sup>of</sup> machine such as those described in the applications so that these rules and regulations can be adopted by the Town of Southborough and that Town Counsel do his best to get back to us in a reasonable time; and this request will be taken under advisement until we have had time to review Town Counsel's opinion."

(end of scheduled appointments)

Selectman McAuliffe asked if any response had been received from the School Committee regarding abatement for services not rendered by Boutilier Bus Company. Administrative Assistant Grossman replied no letter has been received but he had talked to

Doctor William Murphy (Assistant Superintendent of Schools) who said the School Committee did not meet this week and that the matter will probably be taken up at next week's meeting. Selectmen would like an early response to their recent letter regarding this matter.

CORRESPONDENCE NOTED:

Notice of Public Hearings to be held on proposed regulations for the so-called Public Works Economic Development Program sponsored by the State Executive Office of Transportation and Construction. Administrative Assistant Grossman and Highway Superintendent John Boland plan to attend hearing on March 3 at 10 am in Boston.

February 2, 1982 letter from Helen T. DiTommaso, 24 Warren Avenue, Marlborough asking the status of the delivery of the History of Southborough. In 1978 Mrs. DiTommaso paid for a copy of this book and has not received her copy. Selectmen directed Administrative Assistant Grossman to investigate this query and respond to Mrs. DiTommaso's concerns.

February 1, 1982 letter from Energy Facilities Siting Council of Boston regarding a series of public hearings concerning the proposal of the New England States Pipeline Company to build a new natural gas pipeline in Massachusetts. The company's preferred pipeline route passes through Southborough. Janice C. Conlin of the Selectmen's office will attend this hearing.

8:02 p.m. VOTED: to adjourn the meeting.

*Marjorie R. Putnam*  
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Marjorie R. Putnam, Secretary

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, March 2, 1982

7:30 p.m. Meeting convened in the Hearing Room. Present were: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, members of the press and interested citizens.

Treasury Warrants signed by the Board:

\$35.20 Revenue Sharing #26	\$26,096.54 #144
\$19,629.38 #142	\$11,051.77 #145
\$400,000.00 #143	

PERMITS GRANTED:

Unanimous vote: Board granted two 30-day temporary trailer permits for Red Roof Inn construction site at 367 Turnpike Road.

LICENSES APPROVED:

Unanimous vote: Board granted Special License to Fay School Parents Assoc. c/o Jean Sells, Chairman, for a dinner dance at Reinke Building, Middle Road, on Saturday, May 8, 1982 from 7 p.m. to 1 a.m.

APPOINTMENTS:

Unanimous vote: Board nominated Sereno W. Johnson, 120 Northboro Road, as Animal Inspector for the ensuing year. This will be forwarded to the State for its approval and appointment.

PROCLAMATION:

Board unanimously proclaimed April 30 as Lyscom Apple Day in Southborough for its fifth anniversary. (requested by Southborough Historical Society)

WARRANT FOR ANNUAL TOWN MEETING:

Board of Water Commissioners requested the withdrawal of Article 37 from the Warrant for ATM '82 (re painting of Fiddler's Green tank). Planning Board asked to insert in the Warrant for ATM '82 an Article asking the town to accept a portion of Ledge Hill Road. This will be Article 37.) Board unanimously voted above two requests.

LEGISLATION ACCEPTED:

Unanimous vote of the Board to accept Chapter 809 of the Acts of 1981 pertaining to Chapter 166 of M.G.L., Section 32A "An Act Permitting a Local Inspector of Wires to Work as an Electrician and Providing for the Appointment of an Assistant such Inspector to Inspect His Work".

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No appointments were scheduled tonight, but Patricia Capone, 21 Richards Road, asked if she could speak to the Board to express some of her concerns for the Board to consider before it makes a decision on the request of Joseph F. Prior, Jr. d/b/a Fitzgerald's Wine Cellar, for ten additional video machines at his store at

110 Southville Road. Mrs. Capone is concerned re the use of the building as it now stands. She remembered the original site plan hearing. Downstairs was the grocery store and package goods store for wine and beer. The second floor was for used furniture. She asked if since the use has changed: a restaurant section, wine and beer sold on the street floor, plus a larger grocery store on the street floor, and no more furniture, was another hearing held re these changes? Selectmen replied in the affirmative. She was concerned about the parking spaces and said the parking lot was "one large pot hole" with very little hot top. It is hard to figure out where to park! Before another use is granted, she would like these things straightened out before. Last spring and summer she saw at least 15 people sitting on cars and trucks drinking in the parking lot and has seen people leaving the store with an open beer in hand. \* Chairman Bartolini replied that the license says "Not To Be Drunk On The Premises" and the building and/or parking lot is considered the premises. Mrs. Capone was also concerned about Mr. Prior's intention of asking for a Package Store/All Alcoholic License. He has decided, she understands, not to pursue that at this time but would like to know what his future plans might be. Mrs. Capone stated that the games are really not in full view. She did not have anything against Mr. Prior and did not want to make a formal complaint but just wanted to express her concerns before more video games were installed. She was unable to attend the Selectmen's meeting of February 23 when this matter was discussed with Mr. Prior. Selectman Cipriano said that Mrs. Capone's "statements regarding potential violation of drinking on the premises would warrant having the licensee come before the Board of Selectmen with due notice and an opportunity to answer what has been stated tonight. There is a potential violation and we should see if these concerns relate to Mr. Prior's application of last week." Mrs. Capone was informed that she might have to reiterate her statements made tonight. Mrs. Capone said she would. If there is a question about a liquor law violation, the Board may be obliged to investigate separately. Selectman Cipriano stated that Mr. Prior should be advised to Mrs. Capone's statements made tonight and that he be requested to come before this Board at some future date. Selectman Cipriano said that he wished to have this put in the form of a Motion. Motion was seconded. Mr. Prior will be asked to meet with the Board two weeks from tonight, Tuesday, March 16, 1982, on these two separate matters: video machines and the alleged liquor violation. Selectman McAuliffe said he did not want a formal hearing as ten months has gone by since the alleged liquor violation incident, but simply wants to discuss everything "as a whole as part of our comparison" at the meeting on March 16 before the Board makes its decision re the video licenses requested.

\*Mrs. Capone said she reported this to former Police Chief Goyette.

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CORRESPONDENCE NOTED:

2/26/82 letter from Dennis DiSalvo, Superintendent of Schools, to Town Counsel Frederick Busconi asking on behalf of the Southborough School Committee for advice and direction on the contents of 2/19/82 letter from Jeffrey Grossman.

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2/26/82 Notice of State DPW meeting on March 19 at 10:30 a.m. in Worcester for a full explanation to all District #3 cities & towns of the new State Aid Format. Chairman Bartolini and Highway Supt. Boland plan to attend.

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2/19/82 letter from Central Mass. Solid Waste Committee re Central Massachusetts Solid Waste Disposal Project. They want to know the level of interest in the project by Central Mass. communities to properly size the facility of the resource recovery plant to be constructed in Millbury, to be completed by 1986. Selectmen directed Administrative Assistant Grossman to express the Board's interest via a letter to John H. McMichael, Jr., Principal Planner of this Committee.

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2/23/82 notice from D.P.W. of a hearing on 3/8/82 at 7:30 p.m. in Worcester on Mass. Electric Company's proposed performance program relating to fuel procurement and use.

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2/25/82 communication from Town of Arlington enclosing a copy of a bill it has filed - Senate Bill 1312 - which would establish a new local aid formula for FY 1983 based on population and actual tax loss for both FY '82 and FY '83. Hearing on this will be heard by the Taxation Committee on March 10 at 11:00 a.m. Room 234. Selectman asked Administrative Assistant Grossman to check into this proposal and recommend as to what action, if any, the Board of Selectmen should take re Senate Bill 1312.

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8:30 p.m. VOTED: to adjourn.

*Maryorie R. Putnam*  
Maryorie R. Putnam, Secretary

mrp

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, March 9, 1982

7:30 p.m. Meeting convened in the Hearing Room. Present were: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, and members of the press.

Treasury Warrants signed by the Board:

\$ 66.00	#27 Revenue Sharing
\$ 200,000.00	#147
\$ 42,505.03	#148
\$ 221,268.48	#149

PERMIT GRANTED:

Unanimous VOTE: Permission granted to Richard A. Saunders for Southborough Players to erect a sign at the intersection of Route 30 and Framingham Road for the purpose of announcing the upcoming shows. Sign may remain from 3/9 to 3/29/82. Permission was also granted to erect this same sign at this intersection from 6/5 to 6/28/82.

CORRESPONDENCE NOTED:

3/3/82 letter from Senate Majority Leader Daniel J. Foley informing the Town that it will receive a Leak Detection Grant of \$5,140.00 under Chapter 805. Letter to go to Senator Foley expressing the the Board's deep appreciation in assisting the Town with the procurement of this grant.

March 5 Correspondence from Citizens to Save the Quabbin, enclosing a documented report.

March 1 letter from Department of Revenue to the Board of Assessors acknowledging receipt of the Assessors plan to update assessments to full and fair cash value as of January 1, 1982.

7:52 to 8:02 p.m. Board declared a 10 minute recess.

8:02 p.m. Meeting to discuss proposed Department of Public Works.  
to  
Approximately 50 people attended this meeting.

9:23 p.m. Administrative Assistant Jeffrey A. Grossman gave a presentation explaining the proposed Department of Public Works and the FY '83 department budgets to be consolidated into the proposed DPW.

See attached transcription of tapes taken at this meeting re proposed DPW.

9:23 p.m. MEETING ADJOURNED.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

Public Hearing held on the subject of proposed Department of Public Works for Southborough - Tuesday, March 9, 1982 at 8:00 p.m.

(from tapes taken at hearing)

8:02 pm Chairman Bartolini: I want to thank everybody for coming on this bad night to listen/a proposed Department of Public Works. As the Board of Selectmen sees it, we have worked on it, we have made these organizational charts, there have been inquiries in the past about a Department of Public Works, and we feel at this time with this type of forum and the following week, if we get enough response, at some point at a later Town Meeting, we will go with the plan if it flies. We feel with 2½ upon us and we are living with it, but there are savings and merits with a Department of Public Works which would entail special legislation to be filed once we get permission from the Town. Also, we would need legislation to repeal some of the legislation pertaining to certain departments that are being consolidated under the Public Works. There would have to be repeal of some of the Town By-Laws which now pertain to specific departments, Highway Superintendent and Water and so forth. ... Basically, that is what we are here for, we have a proposal for you. We want to get input from you people to see what you think. We made an organizational chart and I'll turn the meeting over to Jeff and he will explain the functions and the budgetary process and the savings we can see at this time. The long run savings will be further down the road.

Presentation by Jeffrey Grossman, Admin. Assistant to the Selectmen: Local government tends to rely on part time and volunteer systems. As a result of that, certain responsibilities and activities of government become diffused and thereby fragment, at times, the structure of government. In order to minimize and avoid the problems which result from fragmentation, a number of towns & approximately 40 per cent of the towns which have a population of 5-10,000 - have consolidated their departments into a Department of Public Works. Certain problems result from fragmentation. Mainly, we've grouped these into two categories. One is duplication of services. Two or more departments, boards or commissions may provide the same or similar services to the public. For example - and this is simply a hypothetical example - a Highway or Water or Cemetery Department may all require excavation equipment and purchase it separately. However, with proper scheduling, fewer than three sets may be required. Second, there may exist problems which relate to lack of coordination. At times, two or more sub-units of government may interfere with each other or may inhibit the effectiveness of another. For example, the Highway Department may resurface a road in one year and see it dug up the following year by the Water Department in order to have water mains repaired. In order to reduce or eliminate fragmentation, a number of towns, as I have mentioned, have developed a Public Works Department. What we are proposing here now, I would like to explain. What exists now is a separate elective Board of Water Commissioners, Cemetery Commissioners, Board of Selectmen and Tree Warden. Underneath the Water Commissioners is the Superintendent, Foreman and Laborers and clerical person. Underneath the Cemetery Commissioners falls the Superintendent and labor force. Underneath the Selectmen falls the Town Grounds which is presently contracted out, the Highway Superintendent, the Foreman and the Highway Department's labor force and also the clerical personnel. Underneath the Tree Warden is the Insect Pest Superintendent and his labor force. What we propose here is the Board of Selectmen, the Superintendent of Public Works, two clerical positions presently in the Highway and Water Departments and would be consolidated, and the Assistant to the Superintendent. From there, there would be a Water Division with a foreman and a labor force, a Cemetery Division with a foreman and a labor force, and a Highway and Tree & Insect people. Many of the functions which are on the present chart such

as Insect Pest, Highway, Grounds, Street Lights, already fall under the Board of Selectmen. In fact, the percentage of the budgets which we are considering for consolidation which presently fall under the Selectmen, equal 70 per cent. The initial budget that we propose and which is available for your review projects a savings of \$12,000 in the first year. In the end we believe that there will be a financial savings which exceeds that \$12,000. However, much of that is difficult to put into dollars and cents, especially in a first year of operation. The majority of that savings will occur in the area of productivity. The majority, rather than savings, that is not in dollars and cents. This is a difficult area to substantiate but we believe that there are some significant gains to be made and we've grouped them into the following categories:

First is Administrative. We believe that the imposition of one superintendent for all these departments should insure that the town conforms to local and state statutes, rules and regulations which relate to: bidding procedures, personnel regulations, grant management and other administrative and legal requirements. Furthermore, by filing information through a single department and through a single supervisor, we should be able to centralize record-keeping and review of different plans and projects. Furthermore, that having one person that has access and to process all this information, that we believe that will have obvious benefits. Obviously, if one person is channelling the information and it is going into one person, that information that relates to one division can be processed rather easily and I think that can be shown in terms of grants. The superintendent has information relating to the Water Division, the Cemetery Division which he is informed of that if there is a grant that he knows that could be tied into those and therefore a proposal could be written to tie into various functions.

Second, by having a centralized record-keeping and review process, we should be able to integrate the following of plans, easements and takings in order to minimize certain permit procedures such as street openings, water connections and tree removals. Also we should be able to provide technical assistance to various zoning board functions. For instance, subdivisions, site plans and zoning permits. Furthermore, we would hope that the review of subdivisions and site plans would be processed in a more expeditious fashion.

The second major area of improved productivity lies with the operational structure. First - the scheduling of personnel. Centralized scheduling and dispatching of personnel should deal with peak demands on staffs such as snow plowing, raking, mowing, clearing the cemetery and grounds, meter reading, construction projects, etc. Moreover, if we have a clerical staff of two persons located in the same area, both persons will be utilized to meet peak demands. The second area of operational productivity lies in scheduling of vehicles. The Department of Public Works should lead to a more efficient allocation of resources which would allocate vehicles on a more centralized basis. At this time a lot of activities are performed but we believe that some of these activities might be averted in the future if there is one person planning the disposition of those vehicles. Also vehicles of the Water Department might be effectively used by the Cemetery and for numerous small jobs for the Highway Department and similarly, the Highway Department's large dump trucks may serve the needs for other departments.

A third area is implementation of standardized equipment. By placing all the equipment under one department, we should be able to standardize the equipment which would result in savings in replacement parts, simplification of purchasing parts and possibly centralized bulk purchasing. And, moreover, this should make for some familiarity of repair for the Town's mechanic. Four, is collective purchasing. Although the Water Department uses specific materials that are not common to other Public Work's activities, standard items such as road materials, paving materials, sand, stone and fill are certainly likely candidates for collective purchasing.

A fifth area is the water billing. By utilizing two clerks, we should be able to institute a new procedure which would reduce the hours spent on water billing.

Finally, the Physical Plant. With the pending disposal of the old fire station, the storage area for the water functions will have to be vacated. It appears that it would be less expensive to expand the location of the Highway Department than to build a new building for the Water Department.

I would like to close this part of the presentation by saying that in reviewing Public Works within other departments, that three criteria seem to have stood out: The Public Works Departments seem to succeed where reasonably well run departments were combined to gain the efficiencies of a professional manager. This seems to be the case in the Town of Southborough. Second, the Public Works Departments have not succeeded where poorly administered departments which were understaffed and without proper equipment were combined in the hopes that these problems would be eliminated by bringing on a professional manager. This doesn't seem at all to be the situation in this Town. The third and final thing is that there appears to be a strong correlation between sound management town-wide in these other towns and success in their Department of Public Works. Thank you.

Chairman Bartolini: You heard from Jeff. We should go over everything where he touched on very lightly. Any questions?

Sherman Ball: Yes. Just a few. First of all, I would like to ask a question on how many towns have unconsolidated such as Ashland did a few years ago when they went this route and it wasn't very long before they went back and tried to get these departments back. Do you know of how many - you said 40 or something had or were going to go Public Works - have you got a history on how many have tried to get out of it once they got it?

Jeff Grossman: No, I don't. I know that 16 out of the 44 towns that have a population of 5,000 to 10,000 now have a Department of Public Works. I don't have how many have put into being Public Works and then (interrupted)...

Sherman Ball: I was just curious because Ashland did....

Chairman Bartolini: Sherman, Ashland was a different structure than the Town of Southborough. They were under a Roads - Highway Surveyor who was elected and ran the whole show.

Sherman Ball: It is essentially what you want to do here. Don't we already have somebody consolidating the efforts of our own internal departments?

Chairman Bartolini: We consolidate everything under us.

Sherman Ball: Yes, that is what I thought. That is why I wondered about tearing up streets after they have just been paved.

Chairman Bartolini: Sometimes it happens, not too often.  
is

Sherman Ball: There/\$12,000 worth of savings. I am curious about that.  
.....when we get into the budgets?

Chairman Bartolini: Yes.

Sherman Ball: Centralized Purchasing. Aren't we already doing that? I know years ago when I was on the Advisory Committee we talked about that. And that was supposed to have been implemented back then.

Chairman Bartolini: There is Central Purchasing within the Hall. We have purchasing through the Highway through the State. All the departments don't come under us. There is a lot of buying done individually by individual contracts.

Sherman Ball: Last question. That is another issue. What about training and cross training people.

Chairman Bartolini: In what areas?

Sherman Ball: Between different departments.

Chairman Bartolini: We have people in all these departments right now.

Sherman Ball: I understand. But your efficiency of the whole thing is to utilize the same crew of people to do all the jobs. That is how you are going to be able to eliminate people.

Chairman Bartolini: No. I don't see how you could - you have water people. I don't see how you are going to train somebody down at the Highway Department to do their job.

Sherman Ball: Right now, the Water Dept. and the Highway Department fall under collective bargaining. This would automatically put the Cemetery under collective bargaining as well.

Chairman Bartolini: If it comes under one roof, yes.

Question: Under today's structure you've got Town Grounds highlighted as being contracted out. It is not highlighted on the proposed. Does that mean that it is going to be not contracted out?

Jeff Grossman: In the first year, it will probably would be. After that, John and I have talked about this, we would hope that we would be able to obtain enough equipment so that eventually/<sup>the proposals</sup> will not be contracted out. We are not sure/when exactly that will take place but we would hope within the first couple of years of operation.

Robert Bigelow: I have two questions. I certainly don't want/<sup>it</sup> to be interpreted as criticism but the two areas I don't think you have addressed I would like you to put your thoughts on. The Water Department is unique in the sense

that it is a public utility providing services with a group of elected Commissioners who set rates. How under this set up are you going to set rates for the Water Department? Question #2: Is the Cemetery, which has a large number of dedicated funds, trust funds, much of its <sup>are</sup> expenses/specifically earmarked - or much of its funds should be specifically earmarked for its expenses and can't be used for any other purpose. The Cemetery Commissioners basically are the guardians of those funds and make sure <sup>and determine how</sup> they are going to be used. What is going to happen to the Commissioners who set rates, what is going to happen to the Commissioners who guard or make sure the Cemetery funds are used for Cemetery purposes? How are you going to handle those things?

Chairman Bartolini: You address the Cemetery first. Those funds will still be administrated under the scope of the will for its original intent. In other words, for perpetual care or for the best interest of the cemetery, that won't change. It will just be under the Board of Selectmen instead of the Cemetery Commissioners. And some of those funds go through our Treasurer now, I believe.

Robert Bigelow: My question really is. The job of the Commissioners now is to see that those funds are only used for one purpose. Now you are putting them under a group who has a much broader concept that isn't specifically given the job of saying - make sure those funds are used as they ought to be - you have a group now that is in a position of saying - we are responsible for the whole thing. What protection have we that those funds will be used <sup>only</sup> for the Cemetery. We have a group that is really concerned only with those funds. Now, you are losing that.

Chairman Bartolini: You can't tamper with those wills.

Robert Bigelow: I realize you can't tamper with them but now the Cemetery spends a mixture of town funds at the Cemetery. I have got the issue out on the table. I am not going to push it.

Selectman McAuliffe: That should, and I would assume, fall under the jurisdiction of the Town Treasurer and the Town Accountant.

Chairman Bartolini: The allocation of monies won't change any more than it is now or if this goes through. It won't change. If Joe Jones died and left perpetual care to the Cemetery, those funds would be expended for the Cemetery. It won't be spent on the water meters or...(interrupted)

R. Bigelow: I guess my concern is that there are people now who are going to be available for all kinds of areas, rather than simply for a specific purpose. You have to be very careful that those people when people who are normally in the Cemetery work for the Highway, they are not getting paid out of Cemetery funds.

Selectman Cipriano: How are those wills drafted?/ Who do they run to? Do they run to the Commission? Do they run to the Town of Southborough? How does it work?

Chairman Bartolini: Some are administrated by the Commissioners directly and some are administered through the Treasurer. Every will is different. Most of the wills for the Cemetery are directed by the Commissioners. Funded through the Treasurer's office. Do you want to address this, Jeff?

Jeff Grossman: Regarding the water rates, we would continue to keep the books for what funds are expended for the Water Division and receipts are brought in, so that we would keep the books by the Water Program and then set the rates accordingly.

R. Bigelow: The Selectmen would have the responsibility for setting the rates?

Jeff Grossman: Yes.

Ch. Bartolini: Also, if you want to talk about the Water Department, that was special legislation back in 1930 to set up a Water Department. That has to be changed around so the Board of Selectmen, if this goes through, can do it. If this takes off, there are many statutes you will have to repeal so it can function under the umbrella of the Public Works. The same thing with the Town By-Laws. That will have to change. There is an awful lot of work involved in changing this thing around.

R. Bigelow: It is one thing to change Town By-Laws we'd do it ourselves....

Robert Juliano(Advisory Committee): In the written proposal one of the highlights of the deficiencies was that under the current system if one department is at its peak work while another department may be at its ebb work load and what the presentation words alluded to is that the combining of the departments, we would be able to even up the workloads. I guess I am referring to Mr. Ball's question about cross training. If there is not cross training, how is that workload going to be worked out? The second issue that I think may require an explanation to me would be the impact on the existing contracts. The changing of jobs and descriptions if you did have to go through cross training.

Ch. Bartolini: Basically, the training, in most of your Highway workers - the Highway Department's labor force and they have been trained to doing everything, you take your Water Department - they right now do our snow plowing and stuff like that, plus the special training as water people. I don't think there is a problem. What you are saying, would a Public Works Director take a Highway man 'A' and put him in the Water Department to do something that some of the men are doing there, I would say No.

R. Juliano: That is what some of the deficiencies look like in the written proposal.

Sel. McAuliffe: There is no question in my mind, anyway, there has to be to some degree cross training in order for this program to work. But I think that there is an awful lot of that work that men in the Water Dept. could certainly do in the Highway. There is probably a certain amount that can be done for the Highway by the Water Dept. I would assume there is a lot more cross training of certain individuals that would be required as far as the Water is concerned. But if you are not going to cross train, or if you are not going to be able to have individuals who can step from position "A" to position "B", then you are right, I don't see as though we are going to be solving or saving too much. So, to a certain degree, there has absolutely got to be some cross training.

R. Juliano: I can't believe that it going to be that big a deal.

Sel. McAuliffe: I don't think it's that big a deal.

Ch. Bartolini: You've got to understand, fortunately we know the people we have got working for us as well as the people working for these other departments. Personally, I can't see anybody down at the Water Dept. going to school to be a water man when we got three or four people that have been there for years, I don't see added people taking that responsibility. I thinking that is what you are alluding to. Right now, some of the Water personnel do perform functions for John now. Like some of the personnel of the Water Dept. perform services for the Cemetery. Fortunately, the Town of Southborough is very fortunate to have personnel in all these departments who can go a number of things and are already trained. Perhaps twenty years from now when you bring another crop of people in, you might have to do some training. But with the present work force we have in the departments we have, I don't think you can count on any big massive in-house training.

Lawrence Kimball: This proposal was put before the Town Meeting three or four years ago. Question: On how many occasions since that time and until tonight, has the elected officials of the three boards - the Board of Selectmen, the Water Commissioners and the Cemetery Commissioners - sat down together around the same table to address the merits of the Department of Public Works?

Ch. Bartolini: At officials meetings, none.

L. Kimball: I would offer the suggestion, and I am neutral on this as I sit here tonight, ... end of side #1 of Tape #1 ..... perceived by the taxpayers to be the joint product of the three elected boards would obviate the perception of the Department of Public Works concept as a unilateral (inaudible) by the Board of Selectmen to exterminate the other two boards. ...Observation.

Sel. McAuliffe: I think if you will recall at last year's Town Meeting there was a question raised by some individual on the floor as to where the Selectmen stood as far as their previous suggestion of combining these departments. I believe last year that I did say at Town Meeting that we would most probably again attempt to bring a plan back in front of the Town Meeting, possibly at the next Annual Town Meeting. At the conclusion of that meeting, that was put on the agenda to look into it, to have hearings such as we are having tonight, and to once again, if we decide, in fact, that it appears that there is enough support to go to Town Meeting, then fine and dandy, let's bring it back to the people again to see whether they in fact wish to accept the proposal or to reject the proposal or in turn send us back and say there needs to be some more study done or whatever. It had been our feeling up to this time that if, in fact, we have a feeling that this is not a proposal that the Town is willing to go with, then let's lay the program to rest and let it be. The proposal last time, three years ago, if I am not mistaken, lost by some 16 or 17 votes.

Walter Davis: Sorry, you're wrong on that, Tom. That was printed in the paper and made it seem very close. Actually, it was quite the opposite. There were 216 people voting on the Motion. It required a two-thirds vote. It failed by 45 votes to get two-thirds.

Sel. McAuliffe: Maybe I was looking at 17 for a majority. You may be absolutely right and if it is right from the book, then I will say that you are absolutely right! Here again, let's assume that it was close enough anyway to warrant some further thought. We have waiting now two years and again it was only that the question was raised last year that we are where we are tonight.

L. Kimball: I think, Tom, when the Town Meeting considered it three years ago, one of the perceived flaws was presented by the then Cemetery Commissioner Tom Grady who stood before the Town Meeting and said that his board was circumvented, his board was not a party to the background and the spade work, his board was not consulted and did not have a role to play in the presentation that had been made to the Town Meeting. And if the same flaw exists this time, it nonetheless is a flaw. That is an observation. I am not convinced by a couple of the dimensions of the logic that Jeffrey Grossman presented. For example, he cites the fact that 44 towns, more or less, across the Commonwealth have gone the route of a Department of Public Works. That in and of itself is not evidence that these towns individually or collectively have pursued a wise course of action. All that suggests is that 44 towns have moved in unison and are not necessarily executing a wise course of action. So I don't subscribe to the logic as it isn't. Advisable for Southborough to go this route simply because other towns have done so. The second thing that I think is flawed in the logic of this is the sense that there is no logic that links the premise to the conclusion is the notion that a Department of Public Works if it's created should be under the surveillance of the Board of Selectmen because as of now it controls 75 per cent of the budget monies involved. That observation fails to address entirely the critical question of how well the departments that are under the Board of Selectmen are spending this money and how well these departments under the jurisdiction of the Board of Selectmen are being managed. There is no evidence cited simply because you cite 70 per cent of the monies are under surveillance of the Selectmen, that the Selectmen are better managers than the Water Commissioners or the Cemetery Commissioners. So, I hear what you say but I don't subscribe to the logic because I don't see any logic.

Jeff Grossman: Just to correct something, 16 out of 44 towns - the 44 I am referring to are the towns that have a population of 5,000 to 10,000. I am saying 16 of those have a Department of Public Works. I am not citing that as the logic why we should - why the Town should move into a Department of Public Works - I am simply saying that a number of towns have moved in that direction. For the logic I would rely on what I stated in terms of savings to the budgets and the savings productivity and increased efficiency by centralizing a number of departments and by centralizing a number of functions. And in terms of departments under the Selectmen, it is really not for me to say who is more efficiently run. I am just saying that with 70 per cent of the budgets under the Selectmen, it would not seem to be too much to put the other 30% under the Board of Selectmen.

L. Kimball: Why don't we have Commissioners, Department of Public Works Commissioners as a separate elected Board altogether?

Ch. Bartolini: For the simple reason the Board of Selectmen already have an office here in the Town Hall. It could very easily put a Director in this Hall, combine the two people - secretarial people - of the two big departments and put them in this hall and direct your whole Public Works from here. Rather, if you start another bureau, we would have to set up a whole new office staff with a whole new clerical and you would be going back to what you are trying to defeat - duplication. It just so happens the Board of Selectmen does at this time administrate 70 per cent of them which is the Highway Dept. and the two other small departments .

Sherman Ball: I'm sorry, I don't understand the answer to Mr. Kimball's question. The question was with regard to why we couldn't put it under another board. It

seems to me that what you are saying is that the management that is in place would stay in place. I don't see the difference between that board's supervisory management or this board's supervisory management. I am sorry.

Ch. Bartolini: He said why don't we put a proposal in where you vote on Public Works Commissioners. Where would you house them? You would start with a secretarial staff, you would be starting another 3 or 5 person board.

Sherman Ball: Why would they need a secretarial staff. You just stated your Superintendent already has secretaries and a staff of people to do that, if I understood you properly.

Ch. Bartolini: Where would you house them? We are already here. The Town Hall is here and the Board of Selectmen are here. We have an Administrator. We have an Office Manager that takes care of all this. It could be incorporated in the whole setup.

L. Kimball: You scrub the Board of Water Commissioners and you scrub the Cemetery Commissioners, you would not scrub the Board of Selectmen, you would be scrubbing two commissions and displacing those two with a Department of Public Works Commissioners, you would be eliminating two and replacing it with one. There would be plenty of space for them.

Ch. Bartolini: You would be closing two offices, Larry.

James Colleary: I have got some input from people and I think if you put this plan on the floor at Town Meeting it will go down the tubes just like the last one. You've got to bear in mind you have two very active groups of Commissioners plus an active Board of Selectmen. In their own right, I respect every one of them, there is no complaint on my part on any of the departments. I think what you are talking about as far as the secretarial help and housing, when you come up with a plan no matter who runs it, you still are going to put your two secretaries in one place. They might answer to you three or they might answer to a separate board. But they still will have to be housed in one place. I think as taxpayers, if you look this thing, - we are not talking something for one year, two years, ten years, we are probably talking about something that is going to be here as long as the Town is. I would vote or consider a vote on a plan that would include a Board of Public Works which would consist of one or two members of the Selectmen, one or two members of the Water Board, one or two members of the Cemetery Commissioners, but to be an odd number of members. The Selectmen would not be elected to the Public Works Boards, he would be - maybe you people could decide - the first or second year man or the second or third year man. Maybe there could be a salary increase, a slight salary increase for the Selectmen for this additional burden. This type of plan would be more interesting to the Town. .... If you do come with a plan to Town Meeting you had better be well prepared to have some guarantees on who is going to run it, who your main man will be, who your assistant will be and who your Tree Warden is going to be and how they are going to be set up because those are the questions people are going to ask. And without a definite yes or no answer, you are not going to get the votes. .... I am disappointed there are only a few people here tonight. It is a very serious thing to me. I think it could be a good thing if it is worked right. When you brought it up three years ago I liked it. There is no doubt about it. We are finding it out at the Power Company. We went from 9400 to 5100 through attrition. Basically, what we are doing now you do this today because you are working

with them tomorrow ... but a long process to talk them into it. If the Board of Selectmen have input, the second board, you have a political check and balance system in operating that department. There will be fights and arguments, no doubt about it, but it will be good for the community because it will be one checking the other constantly and I think it is a better plan, myself.

Denson Satterfield: Mr. Chairman, does the Board of Selectmen feel that we presently have a coordination problem between these departments? Jeffrey brought up what he said was a hypothetical thing and as far as hypothetical is concerned, either we have it or we don't have it - about the Highway paving one year and the Water ripping it up the next. Either it happens or it doesn't happen. If it happens because of a lack of coordination and we do have a problem wherein we need a DPW for that reason, or if it doesn't happen I don't see why anybody should bring it up. Does the Board feel that we have a problem with these departments fighting among one another refusing to cooperate, or the Cemetery Dept. needs the Water Dept. backhoe or they can't get it, they have to go rent one, do we have a problem with these people.

Ch. Bartolini: He made a hypothetical statement. That's all it is. The last road that was picked up for a water main, I can't even remember it. What he is saying to you, it isn't a coordination problem, but he is saying to you if you have these people under one umbrella, you have direct control of everybody. You have all record keeping in one house.

Denson Satterfield: I understand. My question to you is ... you don't take apart a machine, dismantle it and completely overhaul it if it is running good. This is a major overhaul. It is a loss of several elected positions which is something I am very keen about. It seems to me that we shouldn't do anything this drastic unless we have got a real problem. If we have a real problem, fine. I am asking the Board of Selectmen are they breaking this up because we now have a serious problem? Or are they bringing this up as an intellectual exercise to bring it up to see what people think of it. Why are you bringing it up. Do we have this problem?

Ch. Bartolini: The reason it has been brought up because of inquiries made and we made a study of it. Also, it is a way of saving money. Under 2½ you have a no-grow situation. This is just a proposal. This is a forum for the Board to pick up input from the people like yourself, Jimmy and everybody else in this room and hopefully in two weeks you have the same thing. If you people want to go with it, this is just another vehicle you can use to save some money down the road. It doesn't necessarily have to be. If you are satisfied the way you are, there is no problem as far as I am concerned, and I don't think there is any problem as far as my two colleagues are concerned.

Denson Satterfield: I feel that in order to eliminate seven elected positions in a small town where people like to feel close to their government and where people we know can run who are interested. Jeffrey mentioned about volunteers and fragmented government almost disparingly. Franklin, that is what I like about a small town. Sure we have volunteers, sure it gets fragmented, that's what freedom is all about. And when you talk about eliminating elected positions, unless you have to do it for a serious problem. The last guy who wanted to do that was King George. He wanted to save the voters a lot of trouble too. Does the Board of Selectmen feel that right now we have a coordination problem?

Ch. Bartolini: No, that is not true at all.

Sel. McAuliffe: I also think it is important to point out that if you go back a few years ago, there were some coordination problems. There have been vast improvements in that area. There is no question about that. The question that we have to decide, is this in fact in the best interest of the Town of Southborough. It is not doing away with elected boards, or that this board wants to do away with elected boards, that is not important. What is important is, is this combination or the combining of all of these by centralizing them, is this or is this not in the best interest of the Town of Southborough? Can we, in fact, show that we can operate more effectively. Can we operate more efficiently under this system. If, in fact, we cannot operate more efficiently, more effectively and to the benefit of the majority of the people living in this town, then we scrap the program. If, in fact, this is the route that we should go, this is going to be a benefit to the Town, then we support it. We are asking for input tonight, for your ideas, for your advice, from the Water Commissioners, from the Cemetery Commissioners, from the Highway, from anybody. We're not trying to take over 30 per cent of the remaining budgets or anyone who sits in these three individual seats wants to take over the remaining 30%. That's not the point. The point is what is in the best interest of the Town of Southborough. If it is right - we go. If it is wrong - slip it down the tubes.

Jeanne Duggan: Since there are some Commissioners present tonight, would it be appropriate to ask what their views might be on this consolidation?

Ch. Bartolini: If any commissioners feel they want to get up, I have no objections.

John P. Manning, Chairman of the Water Commissioners: We are here tonight to observe. We will make no comment tonight. We will make a comment in the future and put in the paper.

Sel. McAuliffe: I think it is important to point out that if, in fact, we feel there is some sentiment to continue, then again we will have another meeting, but we will be in touch and follow through on this. But if, in fact, it is the overwhelming opinion of those individuals that are present here tonight who will be present at Town Meeting, and if it is their opinion that we should scrap this program right here and now, then that is going to weigh heavily on my decision as to whether or not to bring it to Town Meeting. If, in fact, you say we should progress a little bit further, let's meet again, let's decide at that point - throw us some questions. If we can't answer them, we'll come back to you in two or three weeks so that we can make a sound judgment as to what direction we should be going in. That's all we want to do.

L. Kimball: Were there any particular reasons why over the last couple of years there could not have been some joint meetings on the part of the boards involved, other than perhaps the ongoing <sup>press</sup> of the individual board business. It does seem to me that three years have come and gone and that is ample time for at least a couple of meetings a year between the three boards involved to shake this down to get their mutual consent or to get their mutual agreement on some course of action. We are within two or three weeks of the printing of the Annual Report, the printing of the Warrant, and a lot sit here and say they have no knowledge of what is good, bad or indifferent.

Ch. Bartolini: That isn't so. We are not within two weeks of printing anything. We are not going to print anything unless within these two meetings, it is going to be conclusive as to what the people of Southborough want.

L. Kimball: Town Meeting is virtually upon us to all intents and purposes.

Ch. Bartolini: You've got two months, really. That's why it isn't in the Annual Town Meeting.

L. Kimball: Why over the course of the last three years.....

Sel. McAuliffe: Maybe I can address that. If you recall, the first time that we brought this up members of the Board at that time were Paul O'Connell, Mr. Bartolini and myself. The following year it was Mr. O'Connell, myself and Donna McDaniel. Donna was a new member of the Board. We had been defeated with our proposal. Time, let's give it time. The following year there was another change in the Board. I cannot respond to that time. The year after there was another change in the Board and I am back again and I have made the statement that we would, in fact, look into the possibility of bringing this back to Town Meeting and I think honestly that that is the reason that in those two years we did not come back with a proposal.

Selectman Cipriano: I think Mr. Kimball's point is well taken, in that it suggests that any lack of communication was the possible interpretation that this is merely a Selectmen's proposal might suggest that in fact we are trying to eradicate other boards. Given the fact that I am convinced that that type of a communication gap exists and has to be remedied, and further given the fact that we are going to have another public hearing on Tuesday, March 23, two weeks from tonight, I would propose the possibility of inviting or offering the opportunity to those Commissioners to meet with us in advance of the next public hearing.

Jim Colleary: You say you are saving \$12,000 would the Superintendent of Public Works stay at the same rate as he gets now. I am not denying him a raise but ...say \$12,000 and two years from now the three Selectmen will come up and say we are overburdened with work we need more money too.

Ch. Bartolini: As far as my salary, you can give it back as it screws up my income tax terrible. I'd rather go back to \$50 a year.

Jeff Grossman: We have incorporated a potential salary increase for the Superintendent in this proposal.

J. Colleary: I know if I had charge of five men and all of a sudden somebody gave me twenty men, I would want a raise.

Jeff Grossman: We have incorporated that.

J. Colleary: I say, you aren't going to save nothing.

Bob Bigelow: Just listening to the discussion, a couple of things has hit me. One is that the gentleman's marks that we have heard a lot of efficiency and improved operation, but the implication is that it isn't as good as it ought to be. On the other hand as I listened to the discussions that go on I get the impression that you three gentlemen aren't terribly dissatisfied with the coordination which you have amongst the departments, and I think that it hits really one of the nub of the problem. If we are getting good cooperation amongst the departments, then are we really going to benefit all that much by sticking them in one location? The other thing is that I find myself not

terribly impressed looking at the total budgets here - \$12,000 looks about a 1½% difference. I don't think these things are 1½% accurate. It sounds to me like you're talking noise in the system when you talk \$12,000 out of \$870 odd thousand. \$12,000 might be a nice lot of bucks. If I were talking about a small budget that could save \$12,000 I would say let's do it. But when you talk \$870,000 budget - \$12,000 is within the accuracy that you can estimate the efficiency, so I hear that things are working pretty well and we are going to make it more efficient but it is efficient to begin with. I get 1½% on the budgets and I don't hear...(end of side B on Tape 1).... They have to be convinced that there is really a problem that has to be solved. I haven't heard any of this.

Sel. McAuliffe: I don't think we are saying that there is a major problem. The point you brought up is very valid and you may be 100% correct that \$12,000 that we are projecting the first year is a very minute savings and I do agree. I would hope that going further down the years, that that could be a larger saving and that by taking this route and by consolidating that \$12,000 would be the very lowest and that it would increase. I have no guarantees. I surely couldn't guarantee that this would, in fact, take place. You may be 100% correct that we are in fact operating very efficiently as can be expected and this is where we should leave it. You may be 100% correct on that.

I would like to ask Jeff if

Lorraine Keller: / he figured in the cost of any enlargement of the Highway Department ?

Jeff Grossman: No, not in this proposal. In the first year in this proposal we figured everyone would stay pretty much the same except for a couple people in the office. But in later years, obviously we would have to figure in the expansion of the Highway Department. But to offset that we certainly believe that in terms of productivity and other areas, that there would be savings which far exceeds the \$12,000 that has been indicated in the first year.

Sel. McAuliffe: I think too that it is important to point out that cost that you mentioned is a real cost, but regardless of the fact that whether we combine or we stay where we are today, that is going to be a cost we are going to have to face anyway.

Cyd Ostrovsky: It seems that the \$12,000 difference that you have (inaudible)

Robert Juliano: This is along the same lines as Cyd and Bob Bigelow. We have heard there is no problem and we've got the old statement of a new quote saying "if it aint broke, don't fix it" and I think we have a very loose \$12,000. First of all, is \$12,000 considered in the next fiscal year compared to what it would be if there a Department of Public Works the next fiscal year. But none of this would be implemented, as I understand it, until 1983 or 1984. I would think that the current budgets, even though this is a horse race, I know that everyone I am associated with has some capability of projecting what their costs may be three or four years in the future. I think that rather than comparing 1982/1983 costs that the 1984/1985 costs should be projected and compared in that sense. What will it be in 1984 and 1985 if we do nothing and what will it be in 1984 and 1985 if we do something. I don't think the \$12,000 can be used as an argument for this whatsoever because it can be blown away very easily.

Ch. Bartolini: I don't think it was put in there for an argument at all.

R. Juliano: I think the comparisons can't be made between this year. They've got to be made up in the future.

Ch. Bartolini: No. If it is implemented you are talking at least 1984 and you don't know what your State Aid is going to be and you ...

R. Juliano: Simple things like cutting postage by almost in half, I don't see where consolidation of departments cuts postage in half. You are going to mail the same amount of letters.

Jeanne Duggan: In the user of contracted services, if there were a Department of Public Works, do we have all of the equipment that would be necessary? Repeated: We have contracted out services under Buildings and Grounds, etc. Do we have within the departments now sufficient equipment to handle it because is it a problem with really manpower or is it equipment? Or both?

Ch. Bartolini: I think it's equipment and manpower.

Jeff Grossman: I think we have some of the equipment but not all of it. John Boland can explain it more fully.

Highway Supt. John Boland: It is a situation of both manpower and equipment. That is why contracted services was left there. To start that intially would require sizable expenditure.

Jeanne Duggan: So that is something that .. It seems as though we really have two parts to this whole question: (1) is a Department of Public Works the way to go? and (2) If there is a Department of Public Works, then how should it be formed? There are different ways in which it can be done. Maybe we have to take one step before we can take the second after we have found out do we need it and if we find out, what avenues are opened to us.

Ch. Bartolini: Yes, because the DPW statute as is written by the Commonwealth, you would end up with more chiefs than you would indians. So it has to be a special Act that the Town draws up itself.

Inge Tufts: I wondered if there is any feedback from some of these towns which has maybe had one (DPW) for three, four or five years?

Jeff Grossman: We had limited feedback. Most of them that have had it for a few years found a savings but none of them really did a followup report in terms of comparing the costs that would have been attributed to the various departments vs. the Public Works Department. We didn't really find any town that did a thorough followup study.

James Colleary: Is this proposal final, no matter what?

Ch. Bartolini: No.

James Colleary: You will change it.

Ch. Bartolini: This is a proposal just to find out what everybody is thinking.

Ch. Bartolini: This is not a hearing. This is just a forum to get input. It could change. What we have outlined through Jeff and John who worked on this - if the concept is acceptable then you go through the motions of going to Town Meetings. If it isn't like Tom says, we will forget about it.

James Colleary: ...Last time you brought it up that could have gone that night, I felt other than ~~there were~~ some things that couldn't be changed. I got up and spoke. I don't understand parliamentary procedure so I didn't know I could make an amendment which I thought of afterwards. If you are looking for real input if you did sit down with the boards, you have got to come up with a happy medium between these boards because people do resent losing elective boards. I have friends in the Water Dept. and the Board and I have friends in the Cemetery Board and they enjoy doing what they are doing and I would like to see them a part of it. As far as people considering the increased cost, if you did form a Public Works Dept. I know you would have to give your department heads an increase. It would be wrong if you didn't because of them taking on all the responsibilities. That wouldn't bother me. I think if you are going before Town Meeting you are going to have to change this plan. If this plan goes, I am quite confidant that it won't make it. . .

Lorraine Keller: Who would set the water rates? Would the Superintendent or would a Foreman?

Ch. Bartolini: I would say the Director of the Public Works. He is the man in charge.

Bob Bigelow: Rates are more than, rates are a pretty clear issue here.

Q: Don't they have to be set at a Hearing.

Ch. Bartolini: Under the present statute, no. We had a couple of hearings but it isn't required. In the present statute it just says to increase it. Whatever their income is/<sup>if</sup> it isn't projected to cover their outlay, then they can automatically raise the water rates.

?

Lorraine Keller: The Water Department/ is it going to be separated out like it is now, separate way of handling the improvement. Would that remain under the Public Works.

Ch. Bartolini: It would be under the planning of the Director and the Board of Selectmen.

Denson Satterfield: Regarding efficiency and use of manpower. I believe under our present system we have six very dedicated and hardworking people who have spent a lot of time for very little money with experience and dedication to a job and we are going to lose those guys. I don't see any efficiency there. I don't know what these men serve for, but I don't think it is for an awful lot of money. If we are going to talk about what the Town is going to gain we should talk about what the Town will lose.

Ch. Bartolini: This is what you people have to say, Denson.

Denson Satterfield: To me, I think they probably put an awful lot more than \$12,000 worth of time, effort and dedication a year.

Ch. Bartolini: That is a figure that could evaporate like Bob says, in a second.

Sherman Ball: My attitude as I sit here and I listen. I hear a very strong feeling that there isn't a real strong argument for DPW and it's mostly an intuitive thing. We kind of feel it would be a good thing and we feel we'll make money, but we don't have any facts to substantiate any of the feelings that you have given us. That disturbs me because if we are going to vote for something like this, I sure would like to know what is going to happen. We are talking about using trucks, for example. If you use a little bit of logic there. If you start using the trucks that are presently used for the Highway Dept. to do small jobs, the cost per mile, the cost per hour use, it is going to go right out of sight. Because right now the truck that Mr. Binder's got and the truck that, if you can call them trucks, they have at the Cemetery Dept., they are small. The point is we have efficient operating departments now and I don't see that the shifting of such things as trucks is going to improve that. What I don't see basically is an argument that is very strong to change what we presently have. I am not in favor of changing for the sake of changing.

Larry Kimball: I am disturbed about the notion that by waving a magic wand and centralizing we are going to save all this money. It sounds good on the surface but I can recall that in this state, probably fifteen years ago, there was a massive centralization from the local communities to Beacon Hill of Welfare and that type of activity. It was all going to be centralized... (interrupted)

Ch. Bartolini: 1964 to be exact .

Larry Kimball (continued): ..... for the benefit of the citizens. It was centralized. It became the biggest monstrosity that the taxpayers ever had to bear but had to bear and I think that the logic that supported that notion of centralization of Welfare was blown out of the water but we didn't realize it until it was too late. I fear that there is some corollary that could occur with respect to this particularly if the other committees have not/been drawn into the process before it is presented to the town. That ....of the other committees sort of being on the outside up to this point, it does disturb me.

Ch. Bartolini: Larry, the Board of Public Welfare was run by the Board of Selectmen.

Larry Kimball: And run much better by the Board of Selectmen than by those on Beacon Hill.

Ch. Bartolini: Would you repeat that please.

Mr. Branchaud: Do I assume that under the proposed plan you are eliminating one of the labor force in the Water Department?

Ch. Bartolini: I don't think that was said at all.

Mr. Branchaud: It says 3 under labor force.

Jeff Grossman: Under the proposal, we would eliminate one public works employee than presently exists under the arrangement today. There is one less person under the Water Division. What we would do is there are still four people under the Water Division at the time if, in fact, it is consolidated and one of those persons would be moved to either the Highway or Cemetery Division. One of those positions would be open through attrition from when that takes place from the time we went to Town Meeting and if it goes to Town Meeting and passes this April and until

the time it is enacted.

Rob't Juliano: This is my private opinion, that is contrary to what has been previously heard, I'm a great supporter of centralization in any way, shape or form. You can probably find some economies in here that can't even be realized until it is studied further but I think what I am hearing in the Town the size of Southborough is that a process has been missed, and I think if some boards had gotten together and that there were more communication between boards, that if nine people could get up in front of this Town and say centralization is the way to go, and if they come up with the same thing that is shown up on that board, it would fly right through here. That is what I am hearing anyway. I don't hear any great arguments against and I don't hear any great arguments for the proposed setup. I like it because I like centralization, personally. I really think that some steps were missed in a Town of this size in getting to that step. If time were taken to go around that process and the same picture were drawn, I would feel a little more comfortable.

Sel. McAuliffe: Should this whole problem be addressed by a different board than the Board of Selectmen, should there be guidance from the Town Meetings who say, in fact, that the Moderator appoint a committee to look into and study and to come back and to recommend, should the Board be by-passed?

Mr. Juliano : It would probably be a lot easier to look at.

Sel. McAuliffe: Or, do we feel as though in essence that all the work that they would do might go down the tubes anyway because, in fact, the majority of those present and who will be present and voting, feel as though the system as it sits today should stay intact for the next few years coming down the road and let this problem be addressed another three or five or ten years or whatever the case may be down the road.

Mr. Juliano: I think the question is intriguing and I think it should be answered. I don't think it should be a wait and see what happens to fall apart.

Ch. Bartolini: Would you want to see it on a ballot?

Mr. Juliano: I think probably what Mr. McAuliffe just suggested is ...

Ch. Bartolini: It is difficult to, with all respects to the Moderator, he appoints good committees, but unfortunately the committees you appoint don't have the facilities disposals to do all the leg work. If all the facilities are in force whether one board does it or another board does it, because we do have office help, we do have the superintendent, someone in the department of Water and Cemetery and all those people. It makes it much easier unless the Town Meeting specifically appropriates a certain amount of money to go with the Committee or secretarial help.

Cyd Ostrovsky: Is there any reason why the Board of Selectmen can't invite the other boards to participate in the study jointly and with equal weight as a committee and does the committee really have to be appointed by anyone? Can't a group of people get together who represent the various boards involved on their own volition study and come up with a common proposal to present to the Town?

Ch. Bartolini: I have no objection.

Cyd Ostrovsky: I'm against people who are put on committees who appoint themselves as long as they're fair representatives.

Ch. Bartolini: No matter what you do, Cyd, whether it is a committee or elected boards, if they decide to work together, fine. I worked with the Water Board on collective bargaining. I don't have any problem working with them. Neither does Tom or Aldo. The idea is we wanted to come up with a concept and logically we have the staff to do it, people in-house, and we have come up with a package that might be acceptable and might not be acceptable.

Cyd Ostrovsky: I guess what concerns me right now is that we may have the other commissioners involved who are all for this, we just don't know. I personally too would like to state that I am for a concept (inaudible).

Ch. Bartolini: I think Commissioner Manning answered that. He is going to digest what is being said here tonight and the literature they've got and go back to their own board and chew it and come back to us.

Bob Bigelow: I think that is what's missing.... The Water Board says they are not ready to talk about it yet. The Cemetery Board isn't even here (interrupted)...

Ch. Bartolini: Yes they are.

Bob Bigelow: They are very quiet. (noting Chairman of Cemetery Commissioners John Mauro) . I am very sorry! The point is that logically, I have been listening to the fact that there has been good cooperation in the past. It would seem to me in making a change like this, cooperation would be essential to come up with a plan that would make sense. What would commit me would be to see a representative of each of the three boards all saying 'we looked at this together and we think it is a good idea,' and we don't hear that. I think that is what's missing tonight.

Sel. McAuliffe: I think you are probably right because I think that any members that are sitting on the Cemetery Commissioners feel as though the system that they are operating under right now is the best system and that they are doing a good job. And I am not going to challenge that because I believe that they are. I believe that the Water Commissioners feel this way and I think, rightfully so. We are not saying that they are not doing a good job. (interrupted)

Bob Bigelow: I know you're not. All I am trying to say is that (interrupted)...

Sel. McAuliffe: If you ask a board to go ahead and eliminate themselves when they feel as though, in fact, that they are doing a good job, I am not sure that we are going to get that type of cooperation or the end product that we are looking for. It would be like saying to Lou, Aldo and I 'Now what we want you to do is sit down and consider abolishing yourselves because we have a better system.' I would sit here and say, 'I disagree,' because I sit in on this board and I happen to think that we are doing a good job and I think the Cemetery Commissioners, the Water Commissioners, the Tree Warden all feel that and rightfully so. I am not sure that is the right way either to approach it. I don't know if there is a right way to approach it. Input is what we are looking for. I have a feeling that a

majority of those present here tonight say, 'Gentlemen, well enough alone and it's operating efficiently enough even though, yes, there could be possibility to get a little more efficiency out of it, but what you presented tonight does not, in fact, justify changing the system as we now have it' and if this is the feeling, then I say hallelujah I will accept that and say (interrupted)

Jeanne Duggan: I am not sure I feel that way. I don't feel I have enough input.

Sel. McAuliffe: I didn't say everybody, but I think if you took a poll or a vote tonight that a majority of those people present say 'Things are running pretty well. Either let it go or find a different method to look at this problem.' I don't know what the answer is.

Jeanne Duggan: Everybody is not talking, Tom. Everyone isn't contributing to this meeting.

Sel. McAuliffe: That is usually the same old story but they will certainly contribute come Town Meeting. You can rest assured (interrupted)...

Jeanne Duggan: That is not what I am saying. I am saying that you have other representative boards who are not contributing. Those are your missing pieces. Maybe they can say 'It wouldn't work for this reason.' Maybe someone else would say, 'It might work for that reason.' But we have not heard from them at all.

Chairman Bartolini: Maybe at the second meeting we will hear from these boards.

James Colleary: If you are talking about not getting input from these other boards, I still say that if they were part of it, they knew that they weren't going to be (whistle) at the end once the vote is taken and they go through the State to scrap the board ....run out to sea, I am sure that if I were on that board that is exactly the way I would feel. You might get better input, it is human nature for people to resist change. In my opinion in travelling the six states in the New England area, I wholeheartedly feel that my Town roads are the very best. ...

Ch. Bartolini: You haven't been up my street, I have pot holes this big! John!

James Colleary (continued): And the Water Department service has been good and the Cemetery is probably the prettiest in the State. So I think if you really are going to be serious about this thing, it is to include these Boards. ... If you have all the boards in on a big public program and broke up sections amongst yourselves, this might be something to consider. You would have these people now feeling useful again and not being thrown out. Good input. If you decide not to through with it or you decide you want to or if anything is put on the ballot - I personally don't like the ballot idea - anybody who is interested will be at Town Meeting. If not, they won't be there unless they work or are sick. Basically, those who care, will be at Town Meeting. Let them decide.

Water Commissioner John P. Manning: We are not ducking the issue. I want to explain. We got this in the mail, the three of us. We sat down

Water Commissioner Manning (continued): took a half hour to look it over before we came over here tonight. The only reason we are not speaking is we want to go over the whole proposal again with just the three of us together. We will let you know on March 23, if not we'll put it in the press. People of Southborough know how the Water Department feels. To the best interest of the Town we are going to act that way, whether with your proposal or the way we are now. We think it works good. We'll let you know at the next meeting <sup>OR</sup> <sub>A</sub> in the press.

Sel. Cipriano: May I ask the Commissioner if he was invited to participate in an open discussion relative to the proposal, whether one or more of them would come?

Chairman Manning: We most likely would, yes.

Ch. Bartolini: Any more questions? Hearing none, meeting was adjourned.

9:23 pm Meeting adjourned.

*Marjorie R. Putnam*  
Above transcribed by Marjorie R. Putnam, Secretary

mrp

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, March 16, 1982

7:30 p.m. Meeting convened in the Hearing Room. Present: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam and members of the press.

Treasury Warrants signed by the Board:

\$ 1,448.54	#28 Revenue Sharing	\$ 221,268.48	#149
\$ 76.00	#29 "	\$ 19,043.91	#150
\$ 100,643.09	#146	\$ 179,989.47	#151
\$ 200,000.00	#147	\$ 27,084.88	#152
\$ 42,505.03	#148	\$ 61,094.41	#153

PERMIT GRANTED:

Unanimous VOTE granting 30-day Temporary Trailer Permits to:

(1) Hugh M. Dalzell, 90 Turnpike Road, Fayville.

(2) Michael Gulbankian, 40 Mt. Vickery Road.

No complaints have been received re the above trailers.

LICENSES APPROVED:

- (1) 1-day Special License to sell wine and beer approved for Southborough Organization for Schools c/o Janice Millholland, for an Adult Record Hop at Neary School Cafeteria on Saturday, March 27, 1982 from 8 pm to 12 midnight. Unanimous VOTE.
- (2) Automatic Amusement Device Licenses - Three Licenses were granted to Joseph F. Prior, Jr. d/b/a Fitzgerald's General Store a/k/a Fitzgerald's Wine Cellar, 110 Southville Road: "Middle Command", "Gorf" and "Battlezone". VOTE: Chairman Bartolini and Selectman McAuliffe for this license and Selectman Cipriano against this license.

DEATH: Chairman Bartolini announced that Reserve Officer Steven Purcell, of 8 Rockpoint Road, died as a result of injuries sustained in a motor vehicle accident on March 15, 1982.

RESIGNATION: Bonnie Idlis, Youth Director for the Southborough Youth Commission, resigned effective April 30, 1982.

ANNUAL TOWN MEETING: Selectmen suggested Tuesday, April 13, 1982 for continuing the Annual Town Meeting which convenes at 7 PM on Monday, April 12, 1982. If other days are needed, it will be voted at the Adjourned Annual Town Meeting of April 13. Notify Moderator and Town Clerk that due to the fact that Police Chief William D. Baker will be taking part in a 10 week training session at the

F.B.I. National Academy in Quantico, Virginia, beginning on April 13, the Board will propose, after the Annual Town Meeting is opened, that the Police Department's Fiscal 1983 Budget be brought forward to insure that it is discussed during the first night of the <sup>1982</sup> Annual Town Meeting.

CORRESPONDENCE:

Selectmen signed a letter to Central Massachusetts Solid Waste Committee resolving to support and participate in this Committee and to the pursuit of a regional resource recovery facility.

Board noted invitation to attend Eagle Scout Court of Honor for Albert P. Monroe on April 2, 1982. All the Selectmen plan to attend.

March 12 Memo from Conservation Law Foundation of New England regarding the proposed New England States Pipeline Route. NESP proposes to construct and maintain a three-state pipeline to transmit natural gas. NESP needs a Certificate of Public Convenience and Necessity from Federal Energy Regulatory Commission before they can begin construction. Informational meetings were held and it is the opinion of the Conservation Law Foundation of New England that all the towns involved had insufficient information about the proposed route and its impact and were unable to detail specific local concerns. All concerns should be directed to the Chief of the Environmental Protection Division, Office of the Attorney General can intervene with municipal urging.

SCHEDULED MEETINGS:

7:45 pm Re: Proposed Pipeline

Meeting with Mr. and Mrs. Richard Johnson of 11 Johnson Road with Mr. Barry Seagren of 49 Lynbrook Road. Mr. and Mrs. Johnson voiced their concerns with the proposed 36 inch pipeline which will parallel interstate 495 and the proposed route which will go through Southborough. Mr. and Mrs. Johnson's home is the only home, and a relatively new home on Johnson Road and they are concerned with the potential impact on their property as a result of the proposed pipeline. The Johnsons want the Selectmen to inform the New England States <sup>Gas</sup> Pipeline company that they cannot come through Southborough. Southborough has been sliced by the Massachusetts Turnpike, the railroad, Boston Edison High tension lines, Wachusett Aquaduct and Route 495 and none of these benefit the Town directly, rather, they benefit the State or New England. Land is lost or the value of the land used goes down and reduces the tax base and puts an increased tax burden on the remaining property in Town. They feel that this gas line is potentially dangerous. One of the proposed routes is along the east side of Route 495. Johnson Road is a very heavily travelled commuter route and also used by 8 to 10 school buses. This proposed pipeline is high pressure. The pipeline can't be placed on 495 right-of-way (which is the distance between the road and the fence) because the State said it could be a hazard to motorists.

This proposed pipeline will be the largest in New England. If the pipeline goes through Southborough it will affect anyone within one and a half miles on either side of Route 495. The largest gas line going under residences in Southborough at the present time is 3/4 inch. Mr. and Mrs. Johnson also expressed their dissatisfaction with the way "the matter has been handled by our Selectmen who received notice on February 11 regarding this issue." The Johnsons expected the elected officials to notify them personally as was done in Marlborough. They found out about this matter after all the ~~the~~ scheduled public hearings had been held by the Siting Council. Mr. Johnson stated that the "public should have been made aware of the proposed gas pipeline issue and asked for all the help and guidance they could get instead of just allowing it to possibly come through town." They would like to call for a referendum on the proposed Algonquin Gas Company pipeline and a letter sent to the Massachusetts Siting Council before its April 5 deadline stating that the Town of Southborough is opposed to the gas pipeline going through Town, at least until a referendum can be held.

Chairman Bartolini stated the notice was read at a public meeting, but all the Selectmen had before them at that time was a notice of the hearings to be held in the area towns. There was a hearing scheduled in Marlborough. However, the plan they sent to Southboro doesn't even show where the properties are which will be affected. They sent nothing for the Board to act on, which it cannot do until the Selectmen are contacted by the company itself. The Attorney General is filing legislation to slow down the process so the pipeline doesn't go through Southborough like the Johnsons are suggesting. The gas company is not meeting with the citizens. The Selectmen want to meet with the gas company to discuss the pipeline. It is premature at this time. An environmental study has to be made first of the whole area. The Selectmen have been waiting for further information before scheduling a Hearing in Southborough.

Chairman Bartolini said about three houses might possibly be involved: The Johnsons on Johnson Road, the Lynbrook mansion on Lynbrook Road and a house on the Marlborough/Southborough line.

Mrs. Johnson expressed her concern that once a route has been decided on it will be far too late for anybody, including Southboro, to come forward to oppose it. By that point they will have their Certificate of Necessity and Convenience and they will have the right of eminent domain. So, now is the time to find out about the information and to make the issue very public. No one has any idea that this is a 36" pipeline.

Selectman Cipriano said he sincerely doubts that the Town of Southborough can stop the pipeline. However, there are enough rules and regulations and State laws in place so that the impact, if handled properly by the communities, should be minimal to the residents involved.

Chairman Bartolini explained what the Board did after receiving the pipeline notice. A letter was sent to every department to get their comments of what affect the gasline would have on the Town of Southborough.

The Board has contacted the New England States Pipeline Co., Mr. William Belkin, whose response to the Board of Selectmen was that they do not know exactly where the pipeline will go until the property is surveyed and the field work is done. When replies are received from the various departments, a formal letter will be sent. Citizens weren't planned to be contacted until the "legwork was done first", stated Chairman Bartolini. The Board wanted to find out exactly whose property would be affected. The Board does not want to contact the New England States Pipeline Company until all the facts are in. None of the towns involved know exactly where the pipeline will go. Representative Navin indicated to Chairman Bartolini that on the permit they have, they are allowed to go a mile and a half off to avoid landtaking or hometaking. Whether or not they are going to institute this right, the Board does not know. As the Board understands it, the pipeline is coming up from Texas right into the Canadian side. But this information is second-hand information. The Board needs more factual information. The Board is concerned. The map was not received until well after the notice was received about public hearings. Administrative Assistant Grossman stated that the map was received a day or two after the public hearing was held in Hudson. The Board will be sending a letter to the Attorney General requesting that he intervene and force the pipeline company to undertake a full environmental impact study. The Board will do everything in its power to protect the concerned citizens here tonight and all the people in Southborough.

Barry Seagren of 49 Lynbrook Road stated that the Siting Committee representatives at the Marlborough Meeting gave the impression that the route going through Southborough was the only one under consideration. Is this pipeline inevitable in the Board's view?

.....Meeting interupted to hold a public Hearing.....

GENERAL REVENUE SHARING PROPOSED USE HEARING

8:00 pm Public Hearing was held in accordance with 31 C.E.R. Section 51.10(1) to for the purpose of soliciting written and/or verbal opinions 8:10 pm from local citizens and groups as concerns their proposals for the expenditure of the Town's General Revenue Sharing Entitlement for the budget year July 1, 1982 and ending June 30, 1983. A balance of \$87,725.31 exists in the General Revenue Sharing Account and \$82, 953.00 is anticipated in General Revenue Sharing Funds for this period and have not yet been appropriated by previous Town Meetings.

Only Board present: Assessors Charles Johnson, Assessor. Chairman Bartolini read the legal ad as it appeared in the Middlesex News on Friday, March 5, 1982. Chairman Bartolini then read the list proposed by the Board of Selectmen as follows:

1. Town Hall Debt Retirement	\$ 30,000.00
2. Town Hall Interest	\$ 6,675.00
3. Fire Station Debt Retirement	\$ 35,000.00
4. Fire Station Interest	\$ 8,032.50
5. Fire Truck Debt Retirement	\$ 9,000.00
6. Fire Truck Interest	\$ 2,880.00

7. Police Station Renovation Debt	\$ 8,000.00
8. Police Station Renovation Interest	\$ 1,200.00
9. Highway Department Sander	\$40,000.00 (Art.35 ATM '82)
10. Transfer Station Equipment	\$26,500.00 (Art.34 ATM '82)

Total: \$167,287.50

Assessor Johnson agreed with the above proposal except regarding the Articles listed above -Numbers 34 and 35. He felt that the Townspeople might feel the Board is making a decision for them.

Selectman McAuliffe explained that this is the way the Motions will read on these Articles, but should the articles be defeated, then the money will be allocated somewhere else.

Assessor Johnson said then it could be applied to the cruisers or whatever? Selectmen replied in the affirmative.

Selectman McAuliffe made a MOTION that the sums read by Chairman Bartolini be appropriated from the General Revenue Sharing Account. Selectman Cipriano seconded the Motion. No discussion ensued. UNANIMOUS VOTE.

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8:11 pm Pipeline discussion continued: Selectman Cipriano addressed Mr. Seagren's concerns. If you want to stop the pipeline you must get regional support among the cities and towns. If the cities and towns of this State were to line up and make a stand against the proposed pipeline, then you would have a fairly good chance of stopping it. An alternative route would be to tie up this pipeline in administrative and procedural knots via the types of rules and regulations and laws that have been put in place by both the State and Federal Government, primarily the Environmental Impact Notice or Study arrangement. The Board would support a regionalized stand against this but it is a monumental task. It will take more than Littleton, Marlborough and Southborough to do it.

Chairman Bartolini said that the Algonquin Gas Company have indicated they won't come to any meeting until the process is further along.

Selectman McAuliffe stated that there is not enough information received to date to flatly oppose this pipeline proposal and not consider any changes in the proposed plan, without knowing what the total impact of this is going to be, and it would not be fair at this time to do so.

Chairman Bartolini stated that a large book of plans has now been received for anyone to review. They will be in the Town House available for the public to study.

Mr. Richard Johnson asked the Selectmen to keep him informed as to new developments on this matter. Selectmen agreed.

Mrs. Richard Johnson asked if her house on Johnson Road would be too close legally to a pipeline of that size. She said she did have a list of the rules & regulations but it does not state how close to houses it can go. There are no regulations about 36 inch pipelines.

Selectman Cipriano said this list gives a general idea of some of the comprehensive regulations for everything from water, wetlands, trees, historical areas, state lands, town lands, city lands, road crossings, fire and explosion requirements and construction and operation. These laws have to be read in order to get some of the specifics. There are laws to regulate the construction of a pipeline, regardless of the size, just the impact of that physical thing happening is regulated comprehensively.

Barry Seagren asked if his house on Lynbrook Road is considered an historical house or is it an historical site, whether that makes any difference?

Selectmen Cipriano answered: "Compared to the power of eminent domain, very little makes a difference, unfortunately".

Mr. Johnson said that the reason why the State won't permit the pipeline going down the middle strip of Rt. 495 or under the easement, is that if they ever plan to widen the road, you can't have any obstacle or anything within 20 or 30 feet of the banks that a car might hit. This is considered a hazard, therefore the State won't consider anywhere on Rt. 495. The Siting Committee stated this at the meeting in Marlborough. The State has more power than the towns to do this.

8:25 pm Meeting ended re: pipeline discussion.

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8:27 pm Meeting regarding alleged liquor violation complaint to against establishment licensed to Joseph F. Prior, Jr.  
8:35 pm and Roger K. Poole, Jr. d/b/a FITZGERALD'S WINE CELLAR, 110 Southville Road.

This meeting was called as a result of a statement made by Patricia Capone at the Selectmen's meeting of March 2, 1982. She alledged that alcoholic beverages were being consumed on the premises of Fitzgerald's Wine Cellar last spring or summer. Selectmen then asked the Police Department to investigate the concerns stated at that meeting. The Fire Department and the Building Inspector were also asked to inspect the premises at 110 Southville Road and to report back to the Selectmen. Chairman Bartolini read March 4, 1982 letter from Police Chief William D. Baker, March 4, 1982 report from Fire Chief Edward F. Brock and March 10, 1982 report from Building Inspector Edgar A. Phaneuf, Jr. Chairman Bartolini stated that the site plan matter was brought up at the March 2 meeting and there were site plan hearings on two different occasions. These were brought to this meeting for review by any interested person.

Chairman Bartolini then brought up the matter of the alledged liquor violation. "Through the years this has been a normal complaint with package store licenses. The Board had similar complaints with 2 package stores on Turnpike Road (Rt. 9) years ago that customers went in and bought a six pack or other alcoholic beverage and they'd drink it in the parking lot.

Unfortunately one time the ABCC man came in and did our job for us. It was very embarrassing but the owner was brought before us like you are and was told to keep as much control as he possibly can. So it is a common violation but it has to be policed by the owners. This alleged violation is quite old and I don't know what action the Board wants to take. Mr. McAuliffe, do you have any discussion on it?"

Selectman McAuliffe: "No. I would agree with the statement that you have made it is difficult to police the outside of ones business on a continual basis. From time to time there will be problems when individuals who purchase cans of beer or bottles of beer or whatever the case may be, get out of sight or out in their cars and they will from time to time open those cans of beer not realizing, I believe, that they are in fact breaking the law. This alleged violation is at least 10 months or 12 months old and I think it is sufficient that we have called Mr. Prior before this Board to call this potential problem to his attention and I am sure that he, like the other package store owners in the town will address the problem to the best of his ability."

Selectman Cipriano: " I have been told that Mr. Prior will address all the concerns that have been brought up by the Town agencies."

Joseph Prior: "Right".

Selectman Cipriano: " O.K. and it is the first alleged violation that has ever been brought before the Board of Selectmen."

Joseph Prior: "Yes."

Selectman Cipriano: "In that case, Mr. Chairman, my suggestion would be that no action be taken on Mr. Prior initially upon his compliance with the requests of the Police and Fire Departments."

Chairman Bartolini: "Any discussion from the floor? Mr. Prior, please be aware, and don't take it too lightly what this Board has said to you tonight, and bear in mind that violations are always serious violations and you should make every effort to control your customers as much as possible and see that they don't drink on the premises as the law requires under Chapter 138. I will take your recommendation that no action be taken against Fitzgerald's Wine Cellar."

Selectman Cipriano: " I make a Motion that no action be taken against Joseph F. Prior, Jr. and Roger Poole d/b/a Fitzgerald's Wine Cellar, 110 Southville Road, as to an alleged liquor law violation."

Selectman McAuliffe: Seconded.

Chairman Bartolini: All in favor...

Selectman Cipriano: Aye

Selectman McAuliffe: Aye

Chairman Bartolini: Aye. So be it.

8:36 pm Meeting on Joseph F. Prior, Jr. d/b/a Fitzgerald's to General Store, 110 Southville Road, application for 9:01 pm video game licenses (10 additional). Chairman Bartolini read proposed rules and regulations for Chapter 138 Licensees who have coin-operated Automatic Amusement Devices as drafted by Town Counsel Frederick A. Busconi.

Mr. Prior presented to the Board a plan of his store and the location of the machines to show that he is complying with the requirement that the machines be in full view. He also presented to the Board a Proposed Parking Plan.

Mr. Prior gave a brief presentation as to where the machines will be placed, where the fencing will be placed keeping the game area separate from the storage area of the basement, where the stairs are, and where the side exit door is located in the game room.

Re the parking lot: Police Chief Baker was concerned about the area of the parking lot near the store being too near Southville Road. There, Mr. Prior moved the parking spaces "out back" and four spaces on the side totalling 13 parking spaces marked on the plan. Selectman McAuliffe said that Mr. Prior had covered all the points that were raised by the Board of Selectmen regarding the layout of his store and parking questions raised. Selectman Cipriano inquired as to the condition of the proposed parking area, what is the surface going to be. Mr. Prior said, "it has dry stone there". When asked about any proposed landscaping, Mr. Prior stated that the building has wood chips all around it, he has put around \$1,500 worth of fill there. Every spring this is levelled off, and he adds some more to keep it level. Mr. Prior stated that he needs the additional machines to help supplement his income. The furniture section has been closed. The restaurant section has been closed. Chairman Bartolini asked how the games will be monitored. Mr. Prior stated that he has closed-circuit T.V. and there will be somebody going down there all the time, that "we are always in and out down there to get things from the storage area". Mr. Prior said the parking spaces in the back of the store are for the games customers and he intends to place a sign to that effect in the back. People who go into the store, not intending to utilize the video machines will hopefully park in the front. The liquor license is in both the names of Mr. Prior and Mr. Poole and is in the process of being changed over, so stated Mr. Prior who said the store is owned by him.

Selectman McAuliffe made a suggestion that the Board approve an additional five machines so that with the three he now has, Mr. Prior will then have a total of eight machines and see how it works out with this particular number.

Selectman Cipriano stated that given the types of restrictions or conditions that are going to be put upon this particular establishment, he still has concerns about an arcade atmosphere and suggested that no more than two additional machines be approved giving Mr. Prior a total number of five machines. Selectman Cipriano's concerns are that a high quantity of machines may lead to a number of problems. Therefore he suggested the possibility of having two highly regulated additional machines conditional upon the acceptance of those regulations.

Selectman McAuliffe stated that he does not know "what number constitutes an Arcade -- two machines or five machines? Are they still going to be adequately supervised and adequately governed by the conditions that have been drawn up by the Town Counsel regarding those establishments that would have licenses under Chapter 138? Mr. Prior has requested a total of 13 machines and I am saying eight machines, which is probably 60% of his request which I am willing to grant at this time. I therefore make a MOTION that Mr. Prior's request for ten machines be denied but the Board is willing to give him licenses for an additional five machines."

Selectman Cipriano seconded the Motion only for the purpose of a VOTE.

Chairman Bartolini: All in favor...

Selectman McAuliffe: Aye

Selectman Cipriano: Opposed

Chairman Bartolini: Opposed

MOTION DID NOT CARRY.

Chairman Bartolini suggested to the Board to give Mr. Prior three machines forthwith and give him two more machines in six weeks after having monitored them. If it works out, and it doesn't create any problems to him or the patrons down there, then we have granted <sup>him</sup> a total of five machine permits in six weeks.

DISCUSSION: Selectman Cipriano stated that he would prefer to stay with his original proposal.

Selectman McAuliffe made the following Motion: I move that Mr. Prior be awarded three additional licenses for a period of six weeks and if, in fact, it is shown that these three machines have not created additional problems, that Mr. Prior be allowed an additional two machines which will give Mr. Prior a grand total of eight machines at the end of six weeks. It is understood that Mr. Prior will come back in front of this Board at the end of six weeks if he so desires to request the additional licenses for two machines.

Selectman Cipriano seconded this Motion only for the purpose of the Vote.

DISCUSSION: In answer to a question from the audience directed to Selectman Cipriano, Selectman Cipriano stated that he feels "that supporting 3 to 5 with 3 more in place in that small village area may lead to the creation of some type of a public nuisance which possibly and unintentionally Mr. Prior may not be able to control beyond his premises." Selectman Cipriano believes that it might "unreasonably increase pedestrian traffic in some of the area of that small rural area given the fact that - that will be the highest concentration of video machines in the Town." Selectman Cipriano feels "that the 10, 3 or 5 game proposal or any more than two, may increase the incidents of disruptive conduct in the general area of that store, possibly beyond the control of Mr. Prior. That would degenerate that particular place which in Selectman Cipriano's mind, historically has some value as a historical site, to almost a hangout, a general hangout where kids would be all the time."

Finally, Selectman Cipriano stated that the number of machines and the frequency of people using a number of machines, the high volume of machines, would possibly increase the level of noise in the general area of the store. There are residences not extremely close to the store but on a given night in the summertime with full use of all those machines by all the young residents of this town and other towns, it could lead to a problem for some of the residents in that area."

One concerned citizen said he lived in close proximity to the store and was concerned about it being a hangout.

Mr. Prior said that no one is allowed to hang around on the front porch. The only ones allowed to hang around on the front porch are the kids going to Margaret Neary School in the morning when it is raining. That is the only time kids are allowed to hang around the front porch.

Selectman McAuliffe made a Motion separate from the one above as follows: " I make a Motion to incorporate the Regulations as drawn up by Town Counsel regarding those establishments that fall under Chapter 138".

Selectman Cipriano seconded this Motion on the Regulations.

VOTE on the Regulations Motion: Unanimous.

Comments on the main Motion) .. The Board is aware of the problems Marlborough and Framingham are having with these machines in large numbers. Chairman Bartolini asked Mr. Prior to bear in mind this really is a pilot because if it works out as it is in Framingham where there are groups that get very rowdy and cause problems for the neighbors, there won't be any more machines at his store.

Mr. Prior said he had no objections to the regulations.

VOTE on Selectman McAuliffe's main Motion re the number of machines:

Selectman McAuliffe: Aye  
Selectman Cipriano: Nay  
Chairman Bartolini: Aye

MOTION CARRIED.

At this time Selectman Cipriano presented for the Board's review a revised comprehensive application for Automatic Amusement Device Licenses which addresses a number of concerns that are contained in the statute--Chapters 138 and 140 of the M.G. L. Annotated and covers a substantial amount of information that the Board may request of an individual during the application process. Town Counsel is to review the revised Application.

9:29 pm VOTED: to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

MINUTES OF SPECIAL MEETING  
BOARD OF SELECTMEN

March 22, 1982  
Monday

8:15 p.m. Meeting convened in the Hearing Room to discuss the  
to proposed Department of Public Works with the Boards  
9:15 p.m. involved.

Present were: Selectmen: Louis J. Bartolini, Chairman  
Aldo A. Cipriano  
(Selectman McAuliffe called  
away on an emergency)

Administrative Assistant Jeffrey Grossman  
Secretary Marjorie Putnam

Water Commissioners: John P. Manning, Chairman  
Joseph Cummings, Jr.  
Michael Gulbankian

Water Superintendent William G. Binder, Jr.

Cemetery Commissioners: John Mauro, Chairman  
Frederick J. Quinn  
George Killam

Highway Superintendent: John W. Boland, Jr.

Tree Warden/Insect Pest Control Superintendent:  
Howard Truesdale

Administrative Assistant Grossman gave a very brief synopsis of the DPW. proposal which was presented at Selectmen's Meeting of March 9, 1982.

H. Truesdale asked why these boards were created in a separate form years ago. Chairman Bartolini answered that they were obviously created to attend <sup>to</sup> the specific needs of the Town. Mr. Truesdale felt that his department did not have too much in common with the other departments proposed for the DPW. He sees no reason to consolidate unless there was a problem of friction or hostilities between the departments, and since there are no problems why consolidate? If there are no layoffs planned, where is the saving coming from?

J. Grossman answered this by stating that basically, no one has been laid off in this proposed plan. If consolidation occurs, there would be one less DPW worker in total than the Town now has. It will come from the Water Division if this plan is implemented, yet the person will be transferred to another division via an opening which occurs through attrition.

H. Truesdale feels that this consolidation will cost us more and what justifies taking this drastic step - just to save \$12,000?

J. Grossman: That saving of \$12,000 is what is on paper now. Presumably with the coordination of equipment, personnel, grant fund information funnelling through a central department, coordination of personnel during time of peak demands should save a great deal of money in the future.

H. Truesdale: If the Town brought in the DPW, it would be irreversible. What would the chance of getting out once we are in? Would the Tree Department be phased out?

Chairman Bartolini said that this is a working proposal just to get input. No one is trying to "strong arm" something through. It is difficult to propose a budget for 3½ years in the future. I appreciate your concerns about the Tree Department. Right now the gypsy moth problem is uppermost on everyone's mind. But you are right, once we go DPW, it would be irrevocable. If the DPW is not constructed properly, you might end up with all chiefs and no indians.

Cemetery Commissioner John Mauro questioned as to why the commissioners weren't informed before it went out to the public and feels as though the Selectmen are trying to take something away from them. He did not want to attend tonight's meeting but came only out of courtesy.

Water Commissioner John P. Manning: Right now all the departments are working well together and help each other out. He feels as if the departments, instead of being run by six elected officials, will be under the control of three elected officials and putting the power into only three men. His department works very closely with the Highway and Cemetery Departments and there are no problems. He believes it is good the way it is now and won't "buy" the proposed DPW plan as presented.

Water Commissioner Michael Gulbankian: Before he became a Water Commissioner he had heard that the Cemetery Department is a dynasty, the Highway Department is a dynasty, etc. and that the Town should go DPW and break up these dynasties. After he became a Water Commissioner, he found out all the stories he had heard were false. Everyone worked well together. Regarding buying collectively, the amount the Water Department uses such as hot top is minimal. He would be concerned as to who takes priority if the DPW is implemented.

Cemetery Commissioner Killam asked what precipitated all this re consolidating into a DPW. Did the Board see a lack of management or what is the problem?

Chairman Bartolini said it all started about four years ago, we were asked to bring it back again. This is just a vehicle for a forum. This is a viable vehicle to try to save money. There is nothing wrong in making a proposal to save money. The Board felt it should bring it back again at this time with 2½ with us now. Basically, you should look at the budget. In business, it does not make much sense to pay a Superintendent \$30,000 to govern three people.

M. Gulbankian: In the future restructure, will the Superintendents of the departments be eliminated? Will there be a working foreman and/or a regular foreman and/or a working superintendent?

Chairman Bartolini: Re 2½, if we don't get the same Local Aid we got last year, we'll be in a spot.

Superintendent Binder said he does not make \$30,000 and doesn't know of any superintendent that does.

Chairman Bartolini said he was projecting into the future, that in three years the superintendents will be making that amount.

Selectman Cipriano asked if there was informal cooperation between the departments now such as backhoe backup, tractor backup, etc. arrangements.

...Everyone said "Yes".

Superintendent Binder said John Boland and the Water Department were at the present time backing up the Cemetery Department because they don't have anyone to dig graves, etc.

J. Manning asked who is the one putting this to the people, the Selectmen or Mr. Grossman?

Chairman Bartolini said "The Board of Selectmen".

J. Manning didn't like the fact that the DPW would be wiping out six elected jobs.

Chairman Bartolini again explained that this is just a proposal. On a long term basis there is a savings.

J. Manning stated that you couldn't put Water Department equipment at the Highway garage right now. No room.

Cemetery Commissioner Frederick Quinn said he could not see any improvement by going DPW.

Chairman Bartolini said people didn't think Central Services was a good idea and didn't want it, but the Town is saving money by Central Services.

George Killam: All the departments cooperate a great deal with each other with their equipment.

Selectman Cipriano asked if everyone thought that the Board of Selectmen is isolated from the other boards and if there is enough interrelations. Do you think the Selectmen can improve their communication ?

... Answer: Not enough interrelations from the Board of Selectmen. and yes, the Selectmen could improve their communications.

Selectman Cipriano said he did expect that this proposed DPW plan would show a more substantial amount of savings. It does come to about 2% saving in comparison with the present system. He hoped for a lot more saving. He does not think this conception is dead but wants to learn more about what is happening between the boards and wants to improve communication by the Board of Selectmen.

Superintendent Binder: A plan like this should be prepared over two or three years. The Water Department does have a housing problem. If the Water Department could be housed near the Highway Department in an adjacent building or one attached to it where all the people would be in a central location, there would be a definite savings.

Selectman Cipriano asked Mr. Binder if he was suggesting not to change the structure right now but to put the Water Department all together in one building, more or less?

Superintendent Binder Yes. If the Fire Station's sold he will have to keep some of the Water Department's equipment in his own yard to prevent vandalism to it.

Chairman Bartolini said that is why the Town purchased more land for the Highway Department so that perhaps the Town could store all of its equipment there in one central location.

Superintendent Binder said that if under the DPW John Boland and he were in charge, how could they work from two different locations?

John Manning said he still feels that three men would be in control of the Town under the proposed DPW. At least Marlboro has 9 councilmen to help keep the Mayor in line.

Selectman Cipriano said Marlborough has a Plan B style of government. Southborough has the grass roots type - Town Meeting. The Board of Selectmen <sup>are</sup> answerable to the Town Meeting at least once a year. You can't compare Marlborough to Southborough. Two different types of government.

Chairman Bartolini said that the Town of Agawam has Councillors and a Town Manager, Southbridge has at least 10 Councillors. We still have Selectmen. The Town Meeting is your strength. The Board of Selectmen has to answer to the Town Meeting.

Superintendent Binder mentioned the Town of Ashland that voted the DPW out and are now back to a Town Surveyor again.

Chairman Bartolini: That is because it wasn't structured properly.

George Killam said if this proposal were to fly, you indeed have eliminated some of the grass roots of government in a small town. It is a participatory form of government that we would hate to lose.

Selectman Cipriano thanked everyone for coming as he thought they might not. To him it adds another dimension to assess the value of this entire concept.

9:10 p.m. UNANIMOUS VOTE to adjourn this special meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam  
Secretary

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, March 23, 1982

7:30 p.m. Present: Chairman Louis J. Bartolini, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, members of the press and interested citizens.

Treasury Warrants signed by the Board:

\$52.80	Revenue Sharing #30	\$6,025.76	#156
\$94,690.72	#154	\$13,144.95	#157
\$133,000.00		#155	

Permits Granted:

UNANIMOUS VOTE: Permission granted to William C. Harpster d/b/a Bullwinkle's Pub 50 Turnpike Rd., for a temporary sign permit for a period of one month, starting March 28, 1982.

LICENSES APPROVED:

1-day Special Licenses granted to : (1) Lincoln Sq. Club c/o Loretta Nelson, for a country-western dance at St. Anne's Hall, Boston Road, on Saturday April 17, 1982 from 8:00 p.m. to 12:30 am; and (2) Southborough Coon Club c/o Frank Ramelli, Sr., President, for a Porketta dinner at the Reinke Bldg., Middle Road, Saturday March 27, 1982 from 6:00 pm to 12:00 midnight.

AGREEMENT SIGNED:

Chairman Bartolini signed letter agreement between Commonwealth Gas Company and the Town stating that the Town of Southborough will permanently maintain proper traffic signs along the parcel of land over which the Town previously gave an easement to Commonwealth Gas Co. on June 15, 1976. Consideration for this Agreement is the granting of an easement from Commonwealth Gas Co. to the Town of Southborough (for piece of property the Town needed for the Transfer Station). (UNANIMOUS VOTE of the Board)

CORRESPONDENCE NOTED

March 23 Notice from Energy Facilities Siting Council and Executive Office of Environmental Affairs (MEPA Unit) re Pre-Licensing Conference pursuant to EFSC Rule 93.6 and MEPA Regulations. Meeting on April 14 at 10 a.m. at the Sudbury Reservoir Dam, off Rt.30, Southborough. Meeting re MDC proposal to generate electricity between two existing Water Supply Aqueducts in Southborough. Town Boards to be notified of this meeting: Planning Board, Board of Health, Conservation Commission, IDC, Building, Water, Police, Fire and Highway Departments.

March 12 letter from Worcester County Commissioners asking the Board to support the retention of the County Courthouses and not let the State take over. As Selectmen McAuliffe could not attend tonight's meeting, the Board decided to wait for his return so that the full Board could make a decision on this matter.

SCHEDULED MEETINGS:

8:00 p.m. Second public hearing held on proposed Department of Public Works. Several interested citizens and 8:20 p.m. Commissioners were present: Roger Maconi, Lawrence Kimball, Denson Satterfield, Lorraine Keller, Cemetery Commissioners John Mauro and Frederick Quinn, Cyd Ostrovsky (Chairman Advisory Committee), Robert Hoss and others. Chairman Bartolini informed everyone that the Selectmen met last night, Monday, March 22, 1982 at a Special Meeting in the Town House, with the elected officials involved in the proposed DPW plan. All elected officials were totally against consolidation into a DPW at this time. Therefore, the Board of Selectmen feels it is fruitless to go forward, that it will be deferred to an indefinite period of time. The DPW proposed plan will not be put before the Town Meeting this year. Selectman Cipriano said that some towns and cities which have DPW's have grown so big that they have to revert back to the original approach of dividing the responsibilities. Perhaps we are better off with the concept in place now. Roger Maconi, who was on the Committee to study going into a DPW three years ago, said the State at that time said Southborough was not big enough to go DPW, that the Town would "spend a bundle".

~~=====~~  
Another subject was brought up as to the closing of the medians on Rt. 9 as to why the Town is waiting for Framingham and Westborough to decide what they are going to do before the Town of Southborough makes a decision. Chairman Bartolini answered that it is better to wait and find out what the final plans of those two towns will be as it will also affect the Town of Southborough. This matter is still in the planning phase.

8:20 p.m. VOTED: to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, March 30, 1982

7:30 p.m. Meeting convened in the Hearing Room. Present were:  
Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe,  
Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey  
Grossman, Secretary Marjorie R. Putnam, and members of the  
press.

Treasury Warrants signed by the Board:

\$92.40	Revenue Sharing	#31
\$18,129.36	#158	
\$555,000.00	#159	
\$25,872.54	#160	
\$36,968.71	#161	

PERMITS GRANTED:

Unanimous votes by the Board granting five 30-day temporary trailer permits to: (1) Ronald J. Garcia, 126 Turnpike Road; (2) T.H. Bosse Corporation, for plumbing and heating, Turnpike Road (Red Roof); (3) Kenneth Hull, Electrician 367 Turnpike Road (Red Roof); (4) Donald Jurs, Project Superintendent, 367 Turnpike Road (Red Roof); and (5) B & W Construction Company, 344 Turnpike Road (for Exxon).

APPOINTMENT:

Unanimous VOTE: Herbert F. Ramsdell, Jr., 26 Deerfoot Road, as Director, Industrial Developemnt Financing Authority, his term to expire 4/1/87.

JURORS DRAWN:

In the presence of Town Clerk Paul J. Berry, the Selectmen drew three persons to serve at the Worcester Superior Court as Traverse Jurors on Monday, May 3, 1982, as follows: (1) Joseph W. Robillard, 6 Lovers Lane; (2) Davis O. Cowles, 33 Pinecone Lane; and (3) Manuel M. Borges, 40 Woodbury Road.

PRESS RELEASE:

After Annual Town Meeting 1982 is opened, the Board of Selectmen will propose that the Police Department's Fiscal 1983 Budget be brought forwarded to insure it is discussed during the first night of Annual Town Meeting, April 12, due to the fact that Police Chief Baker will be taking part in a 10 week training session at the F.B.I. National Academy in Virginia beginning on 4/13/82.

SCHEDULED MEETINGS:

7:51 pm Alex Hill, member of the Turnpike Road Study Committee, to asked for a decision by the Board for a date to hold  
8:00 pm a public meeting to discuss the median closings at Middle/Turnpike Roads and Break Neck Hill/Turnpike Roads which are being considered to be closed by the State. Also, Mr. Hill announced that the First National Bank is proposing to build on the Framingham/Southborough line. Selectmen informed Mr. Hill that they have asked for a copy of the Environmental Impact Study Report and have not received it yet. It is still in the preliminary stages and is still a few years away from being constructed. A date for the public meeting will be held on April 27, 1982, at 8:15 pm, and will be held in the Town House second floor Hearing Room. It was decided not to invite the State DPW at this time as the Selectmen want to hold their own public meeting first to get the public's input and then get back to the State at a later date. Also Henry Holmes, DPW District Highway Engineer, just received a copy of the Committee's Study Report and needs time to study it.

8:00 pm Acceptance Hearing for a portion of Ledge Hill Road. to Present were: Developer/owner of street Vahan Sarkisian; 8:41 pm Planning Board member David Scattergood; Highway Superintendent, John W. Boland, and residents of Ledge Hill Road including Mr. & Mrs. Richard Bellotti and Dr. Richard Hunt. Chairman Bartolini noted the certified receipts proving that all property owners on this street had been notified of tonight's hearing.

Mr. Sarkisian stated that he would like to have this section of the road accepted by the Town. Ninety per cent of the work has been completed to date. Street signs have to be put in. Grass on either side of the sidewalks has to be put in. General cleanup will be done shortly. He has been waiting for proper weather conditions before starting the seeding and doubts he can start this before the Town Meeting on April 12.

Mr. Scattergood said the Planning Board asked Highway Superintendent Boland to inspect the road before they released the bond, which he did. The Planning Board is in receipt of a letter from Highway Superintendent John W. Boland dated January 19, 1982 recommending the acceptance of this portion of Ledge Hill Road as a public way. The Planning Board also recommends the acceptance of this portion of Ledge Hill Road.

John Boland said he inspected the construction through the entire process and some work is remaining. From a practical standpoint, he would not want to rush that particular work at this time. It would be better to wait until the proper weather to do remaining work in light of the fact that it is minimal. Mr. Sarkisian has extended his bond on the additional section of the roadway. Mr. Scattergood stated that Mr. Sarkisian surrendered a Certificate of Deposit for \$15,000 for the second portion of the road.

Mr. Sarkisian said he has 6 or 8 more lots planned. The bond covers the completion of the next stretch of road plus the seeding. Loam has been spread. It is just a matter of seeding. Right now the hot top ends in gravel. A small fire truck could turn around at the end. The ladder truck would have to use the driveways. In order to reach the houses, you would have to go up the driveway anyway. Therefore, he could foresee no problem with fire trucks turning around to go back out. He has tried to avoid a cul-de-sac by putting up more bond money for the next section.

Highway Superintendent Boland sees no safety hazard by not having a cul-de-sac. The \$15,000 bond would cover approximately 650 feet of additional roadway plus the intersection where one can make a wide circle. He does not foresee any problem with a temporary cul-de-sac as it exists right now and does not believe any further construction has to be done. Because Mr. Sarkisian extended his bond, that takes care of that requirement for the construction of a temporary turnaround. The original estimate did include a sum of money for the construction of that temporary turnaround. Mr. Boland brought up the elimination of the cul-de-sac at a Planning Board meeting as cul-de-sacs are a nuisance to maintain, plow, etc. Therefore, Mr. Boland gave the developer the alternatives <sup>either</sup> to extend the bond or put a cul-de-sac at the end of the existing roadway. Mr. Sarkisian chose to extend his bond for the next section to include the intersection.

Chairman Bartolini explained to the property owners that the Selectmen are not against accepting this street, but are bringing up all the possible questions that will be asked at Town Meeting and have been asked at prior Town Meetings with regard to the acceptance of a road. <sup>If the bond</sup> Chairman Bartolini also asked the Planning Board <sup>which has been</sup> extended has been checked by Town Counsel so that it cannot be revoked at any time by the developer. Selectman McAuliffe said the Selectmen are relying on the judgement of Highway Superintendent Boland as they do not want any problems with this road at a later date. Nothing is to remain unfinished by the developer. Selectmen questioned whether or not Mr. Boland considers \$15,000 a large enough bond.

Highway Superintendent Boland is satisfied that the \$15,000 bond is sufficient for one year. It is renewable in one year's time. However, he is not an attorney.

Selectman Cipriano questioned that if the section under discussion tonight is about 500 feet, doesn't it require to have a cul-de-sac?

Mr. Scattergood replied that it does not need a cul-de-sac due to the fact that it will intersect with another street. The Planning Board uses Schofield Brothers as consulting engineers to check the street against the plan. The Planning Board don't ask them to re-inspect but rely on Mr. Boland to give them his approval before they release the bond. Town Counsel reviewed the forms in connection with the release of the bond of the first portion of the road and the bond for the second section of the road.

Mr. Sarkisian said the Certificate of Deposit has the names of his corporation and the Town of Southborough on it and it is in the form approved and used by the Town of Southborough.

Selectman Cipriano again expressed his concerns re whether or not the ladder truck could turn around at the edge of Ledge Hill Road and questioned whether or not Fire Chief Brock had been consulted.

Mr. Scattergood said he did not consult Chief Brock personally but that a member of the Planning Board is also a full time member of the Fire Department and he did not seem duly concerned that this would be a problem.

Selectman Cipriano said he did not approve of accepting strips of roads without a cul-de-sac and would like something temporary in place for a cul-de-sac. He is against accepting portions of a road from developers.

Selectman McAuliffe stated he too would like a legal commitment from the Town Counsel regarding the need for a temporary cul-de-sac.

Mr. Sarkisian stated he decided against a turnaround due to the ledge on either side of the end of ~~the road~~ <sup>the ledge</sup> making it unfeasible at the end. It would have to be moved further up. So he decided to put in an intersection.

Board UNANIMOUSLY VOTED to have Town Counsel review the current bond of Mr. Sarkisian.

Selectmen then signed the Street Layout Order for a Portion of Ledge Hill Road to which was attached a legal description and the Acceptance Plan, so that it can be filed with the Town Clerk and presented to the Town Meeting for acceptance.

8:44 pm Mr. Robert Cibelli and Mr. Arthur Lemire asked the Selectmen as to the status of the old fire station at 5 Main Street. Is it going out to bid again or what? They believe the Committee is procrastinating as they have had a difficult time in reaching Mr. Brefka, Chairman of the Committee. They fear if too much time is allowed to pass that the fire station will deteriorate rapidly. They have also spoken to a Mr. Zolli of Massachusetts Electric who told Mr. Lemire that Mass. Electric is interested in selling the piece of land they own near the old fire station but that no one has talked to him about it. Perhaps something could be worked out. According to Mr. Cibelli and Mr. Lemire, Mr. Zolli has unsuccessfully tried to reach Mr. Brefka. Administrative Assistant Grossman informed the Board that he had spoken to Mr. Brefka this morning (3/30/82) who said the Committee will be rejecting two proposals and that Mr. Brefka had received a letter from Massachusetts Electric indicating that they won't sell said land. Chairman Bartolini said the Board has to wait for further word from the Fire Station Study Committee before proceeding further, but have been told it will go out to bid again.



Selectman Cipriano made a Motion to utilize the revised "License Application for Automatic Amusement Device(s)" with no fee placed on it until after the Annual Town Meeting. Motion was seconded and VOTED unanimously.

CORRESPONDENCE noted by the Board:

3/23 letter from the Worcester County Commissioners re a conflict of interest seminar to be held on April 27, at 7:30 pm. Letter to go to them that the Board cannot attend due to its own meeting being held on that night.

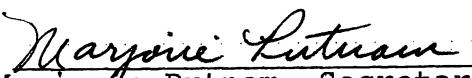
3/24 letter from Noemi M. Pedraza, 25 Valley Rd., Southborough, re his concerns about the proposed MDC water treatment plant at the Fayville Dam which plans to pump water from the Sudbury Reservoir to Boston.

3/18 notice from the State Department of Public Utilities re New England Cable Television Association, Inc. requesting the DPU for Adoption of Regulations in order to provide CATV Services, etc. Hearing set for 4/27/82 at 10am in the DPU. Selectmen asked Administrative Assistant Grossman to find out if this is a blanket endorsement for cable T.V. or what they are requesting.

3/29 letter from L'Abri Fellowship, 49 Lynnbrook Road, Southborough, in which they enclosed a check for \$500 to be donated to the Town of Southborough (in lieu of taxes). Board directed that a letter of appreciation be sent to L'Abri Fellowship.

3/25 letter from House of Representatives - State Representatives Walter Bickford and Bruce Wetherbee enclosing a report on the latest information relative to the proposed New England States Pipeline. Selectmen directed that a copy of this report be sent to Mr. & Mrs. Johnson of 11 Johnson Road.

9:07 pm VOTED: to adjourn the meeting.

  
\_\_\_\_\_  
Marjorie Putnam, Secretary

Wednesday, April 7, 1982 MEMORANDUM to Minute Book.....

The Selectmen's meeting scheduled for Tuesday, April 6, 1982 had to be cancelled due to a major snowstorm with blizzard conditions. The 8 P.M. scheduled Public Hearing on the General Revenue Sharing Budget had to be cancelled. Radio Stations WSRO (Marlborough) and WKOX (Framingham) were notified of the cancellation of the Selectmen's Meeting and the cancellation of the General Revenue Sharing Budget Public Hearing which was rescheduled for Monday, April 12, 1982 at 6:30 p.m. at the A.S. Woodward Memorial School, Cordaville Road, just before the Annual Town Meeting. Two newspapers were notified of the above: The Middlesex News (Framingham) and the Worcester Telegram (Worcester County paper) who stated they would publish this news item.

April 7, 1982 Selectmen signed the following Treasury Warrants:

Revenue Sharing #32	\$50.60
T.W. #162	\$98,840.50
T.W. #163	\$255,000.00
T.W. #164	\$5,948.93
T.W. #165	\$31,241.36

April 7, 1982 Selectmen signed Zoning By-Law Permit for Kevin J. O'Sullivan to build a single-family dwelling on Lot No. 21-10 (formerly 29-1), 75 Break Neck Hill Road.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

GENERAL REVENUE SHARING BUDGET HEARING

Monday, April 12, 1982

6:35 p.m. Hearing convened at the A. S. Woodward Memorial School, Cordaville Road. Present were: Chairman of the Board of Selectmen Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, and one interested citizen.

Selectmen noted Legal Hearing Notice as it appeared in the Thursday, March 25, 1982, issue of The Middlesex News.

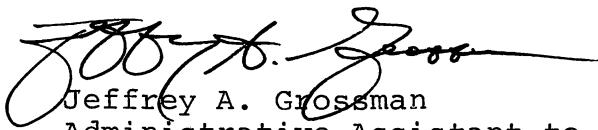
Selectman Cipriano made a Motion that the following schedule of the General Revenue Sharing Budget, totalling \$167,287.50, be and is hereby approved and adopted, as follows:

Town Hall Debt Retirement.....	\$ 30,000.00
Town Hall Interest.....	6,675.00
Fire Station Debt Retirement.....	35,000.00
Fire Station Interest.....	8,032.50
Fire Truck Debt Retirement.....	9,000.00
Fire Truck Interest .....	2,880.00
Police Station Renovation Debt.....	8,000.00
Police Station Renovation Interest.....	1,200.00
Highway Department Sander (Art. 35 ATM '82)	35,000.00
Transfer Station Equipment (Art. 34 ATM '82)	26,500.00
Maintenance of Town Roads (Art. 29, ATM '82)	<u>5,000.00</u>
TOTAL.....\$167,287.50	
=====	

Selectman McAuliffe seconded the Motion and it was unanimously approved by voice vote.

Administrative Assistant Grossman explained that this list approved tonight is different from the Proposed Use voted on by the Selectmen at the Hearing of March 16, 1982, by \$5,000.00. Highway Superintendent John W. Boland opened bids for the proposed sander (Article 35, Annual Town Meeting 1982) and the amount being asked for is \$35,000 instead of \$40,000 as stated in the original printed Article. Therefore, \$5,000 is to be applied against the Maintenance of Town Roads Article 29, ATM 1982.

6:40 p.m. Meeting was unanimously voted to adjourn.

  
Jeffrey A. Grossman  
Administrative Assistant to the  
Board of Selectmen

mrp

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, April 20, 1982

7:45 p.m. Meeting convened in the Hearing Room. Present were: Chairman Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam and members of the press (Worcester Telegram & Gazette, The Middlesex News and the Southborough Villager).

TREASURY WARRANTS signed by the Board of Selectmen:

#170	\$ 91,644.66		
#171	\$ 148,000.00	#173	\$ 80,839.11
#172	\$ 19,550.85	Rev.Sh. #33	\$ 1,690.20
		Rev.Sh. #34	\$ 66.00
		T.W.Total	\$ 341,793.22

PERMITS GRANTED:

- (1) 2 30-day trailer permits granted to Hugh M. Dalzell, 90 Turnpike Road, Fayville. (Voted by Selectman McAuliffe and Chairman Bartolini. Selectman Cipriano abstained)
- (2) 30-day trailer permit granted to John Bartolini for Parkerville Road (at Skylar Drive). (Voted by Selectmen McAuliffe and Cipriano. Chairman Bartolini abstained)
- (3) 30-day trailer permit granted to Vahan Sarkisian, President of Borough Corporation, for Ledge Hill Road. (Unanimous Vote)

APPOINTMENTS/RESIGNATIONS:

Appointment:

Unanimous VOTE: Charles A. Keller, Jr., 87 Turnpike Road, Fayville, as REGISTRAR OF VOTERS for a three year term, effective April 1, 1982.

Youth Director Hired:

Southborough Youth Commission hired Ms. Ellen Bettmann Piontek who will start on April 26, 1982 (Grade 16/Step 1 == \$289/week).

RESIGNATION:

Joseph J. Madison from the Recreation Commission effective April 30, 1982.

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Selectman McAuliffe brought up the matter of the old fire station at 5 Main Street. He wanted to know the status regarding Mr. Baltas' proposal and whether or not it is going out to bid again. If so when? Selectmen agreed that Mr. Brefka, Chairman of the Committee should be contacted once again, asking that this committee meet with the Board of Selectmen to bring the Board up to date. The Board is fearful that this building is deteriorating at a very fast rate and its value will also go down.

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SCHEDULED MEETING:

8:05 pm Board met with David Scattergood of the Planning Board.  
to The Planning Board wanted the Selectmen's input re-  
8:43 pm garding the proposed Towne Lyne Village Subdivision.  
The Planning Board's public hearing is scheduled for  
Tuesday, April 27, 1982 at 7:30 pm. Mr. Scattergood stated  
that this subdivision is off Oregon Road on the Ashland line  
with two streets going into the subdivision, the length of  
each is 500 feet long with appropriate cul-de-sacs at the end  
of each street. The driveways proposed will be @ 10 ft. wide.  
The plan is drawn in what is commonly called a "rat tail" style  
subdivision or "pork chop" style. The nearest hydrant is at  
the corner of Edgewood/Oregon Roads. Since there is no town  
water at this location, the developer is proposing two 10,000  
gallon holding tanks for emergency use and also is planning to  
approach the Town of Ashland to ask permission to run piping  
down from a hydrant in Ashland. Fire Chief Brock can bring the  
pumper in but has not given in writing a clear yes or no as  
to the pros and cons of getting a large fire truck, such as the  
ladder truck, in and out of this subdivision. Massachusetts  
Electric says it can turn a truck around in this subdivision.

There is water available to fight a fire and Chief Brock said  
fire trucks can get in there to fight a fire but he has not  
answered about getting the fire trucks out in a hurry. Town  
Counsel said every Building Permit should be stamped "No Town  
Water".

Chairman Bartolini asked who would be responsible for maintaining  
the drainage ditches as the Town has no facilities to take  
care of drainage easements. Mr. Scattergood said the Planning  
Board's consulting engineer, Schofield Brothers, is taking a  
close look at the drainage runs. Mr. Scattergood stated that  
the Planning Board had to call an emergency meeting last Monday  
night due to the fact that they ran out of time to approve or  
disapprove this plan, the 60-day legal time had run out. The  
developer gave the Board an extension at this meeting. Mr. Scatter-  
good said this land is wet and swampy and the Board is having a 100-  
year flood plain study done.  
Chairman Bartolini <sup>asked</sup> where on Oregon Road the drainage comes out.  
No answer was forthcoming.

Selectman Cipriano said this is a precarious proposal and was the  
worst type of subdivision possible.

Mr. Scattergood said the developer is in compliance with the Zoning  
By-Law technically. Selectman Cipriano said he would like to  
see the Board of Health's Title V report on this re percability.  
Mr. Scattergood said the problem is that they have seeked the  
input from various boards but have not received many answers to  
date. The Conservation Commission has not responded as to  
whether or not the Hatch Act is involved. Conservation Commission  
is reviewing the plan and will discuss it at its meeting next  
week. They want to walk the site first. Schofield Brothers  
say that the main drainage is taken care of. Selectman McAuliffe  
stated that he believes there are major drainage problems there.  
Mr. Scattergood said that this type of subdivision will be a  
test case.

Chairman Bartolini suggested that Town Counsel's services should be utilized. Planning Board said they are consulting with Town Counsel Busconi who helped them with the emergency meeting of last Monday. Selectmen believe that a lot more review will be required by other Town Boards and it looks like there is bad drainage and bad access to the various lots.

Mr. Scattergood said that a question was raised by John Boland at Planning Board's emergency meeting as to whether or not the matter of giving water to the people in this subdivision had to go before a Town Meeting. Selectmen answered that in an emergency situation, no Town Meeting approval is needed. Selectmen plan to attend Planning Board's public meeting next Tuesday.

CORRESPONDENCE NOTED:

RE: NEW ENGLAND PIPELINE:

(1) 4/2/82 letter from W.J. Belkin, Manager, Land and Public Relations Department of the Algonquin Gas Transmission Company, stating that the New England States Pipeline Company does not intend to go through any existing structures. All concerns regarding the route of the pipeline should be addressed to the Massachusetts Energy Facilities Siting Council. Copy of this letter to go to Mr. & Mrs. Richard Johnson, 11 Johnson Road.

(2) 4/14/82 letter from Walter E. Bickford, and Bruce Wetherbee, State Representatives re a meeting on Wednesday, April 21, 1982 at 7:30 pm at the Bolton Town Hall to get a consolidation of information regarding the impact of the proposed NESP project on each community in Massachusetts.

(3) Letter to go to the Energy Facilities Siting Council inviting a representative to attend a Selectmen's meeting to discuss the proposed pipeline.

HEARINGS:

Planning Board:

7:30 pm 4/2/82 - Dennis Paul petitioning approval of a subdivision to be known as "Towne Lyne Village" located off Oregon Road near the Ashland line.

ZBA HEARINGS:

7:30pm 5/3/82 - Data General Corporation, petitioning to construct a radio tower - Coslin Drive, Building #5, Southborough.

8:00pm 5/3/82 - Helmer A. and Dorothy M. Metz, 9 John Street, petitioning for a variance re the location of an accessory building.

April 5 communication from Massachusetts Municipal Association enclosing the distribution proposed by the Governor for local aid in the State's FY 1983 budget.

The Massachusetts Municipal Association opposes this distribution in its present form as it will decrease the amount of local aid distributed to 150 communities in the State compared to last year's local aid.

March 31 communication from Massachusetts Municipal Association urging support for H-689 and S-747 which would allow municipalities to pool their insurance coverage. Twenty states have experience in over a ten year period a savings between 15% and 40% on their insurance costs.

Board noted receipt of a check for \$15,894.32 from Harvard Medical School New England Regional Research Center in lieu of taxes. Letter of appreciation to be sent.

8:50 pm VOTED: to adjourn the meeting.

*Marjorie R. Putnam*  
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Marjorie R. Putnam, Secretary

MEMORANDUM

Treasury Warrants signed before Annual Town Meeting 4/13/82

#166	\$ 20,950.19
#167	\$ 103,879.66
#168	\$ 26,650.98
#169	\$ 11,322.03

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MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, April 27, 1982

7:30 p.m. Meeting convened in the Hearing Room. Present: Chairman of the Board of Selectmen Louis J. Bartolini, Selectman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, and members of the press.

Treasury Warrants signed by the Board for the week ending April 30, 1982.

#174	\$ 21,475.14	#177	\$ 125,159.13
#175	397,000.00	# 35	52.80 Revenue Sharing
#176	25,709.66	Total Warrants: \$569,396.01	

PERMITS GRANTED:

(1) Street Opening Permit unanimously granted to Mass. Electric Co. to place electric conduit under School Street from Pole #16 to St. Mark's property on April 28, 1982. Ch. Bartolini explained that all utility companies have an open-end performance bond in the amount of \$5,000.

(2) Two Temporary Trailer Permits were unanimously renewed for another thirty (30) days for Red Roof Inn during construction at 367 Turnpike Road.

(3) Permission unanimously granted to Southborough Lions Club c/o Glenn Tessmer, 1 Bantry Road, to sell light bulbs at the Town's Transfer Station on Saturday, May 1, and Sat., May 8. (annual fund raising drive)

JURORS DRAWN:

7:44 p.m. In the presence of Town Clerk Paul J. Berry, Selectmen drew two jurors to serve on the Traverse Jury, Worcester, Monday, June 7: (1) Margaret P. Stoddard, 16 Atwood Road; and (2) Virginia M. Hain, 11 Walnut Drive..

CONTRACTS, ETC.

(1) Selectmen signed Agreement with the State Department of Public Works, for State Aid Highways District #3, which said that Southborough will receive \$53,160.00 for Force Account Work for construction on Chapter 90 roads. To be sent to the Department of Public Works for its signature. The figure of \$53,160.00 comprises \$26,580 for FY 1982 and \$26,580.00 for FY 1983.

(2) Re: Bids opened by Highway Supt. John Boland on December 23, 1982 for the Transportation and Disposal of Refuse, the Board unanimously VOTED to reject all bids and advertise for new bids, as per recommendation of April 27, 1982 from the Highway Supt. John Boland. Highway Supt. Boland plans to revise the specifications.

CORRESPONDENCE RECEIVED AND NOTED BY THE BOARD:

Board received a notice that the CSB Realty Corporation plans to construct a 220 room hotel complex in Westborough near the northwest quadrant of the Rt. 9/I-495 interchange. Construction is expected to begin in the spring of 1982 and completed during the summer of 1983. Also, Westborough Assoc. will construct a multi-building office park

on the southwest quadrant of Rt. 9 and I-495 between New England Power and I-495 across from the proposed Howard Johnson Motel. Two office buildings are under construction at present. The entire project will be built over an 8-9 year period.

Letter received from Police Chief William D. Baker from Quantico, Virginia, attending the FBI Academy, inviting the Selectmen to the Graduation Ceremonies on June 25th at 10:00 a.m.

Letter from Fire Chief Edward F. Brock re his receipt of a \$500 donation from Fay School. Chief Brock plans to use this money to purchase a portable two-way radio. Letter of appreciation is to go from the Board to Fay School.

April 20th letter from The League of Women Voters supporting the formation of a Department of Public Works with the Selectmen as overseers, and with the structure formulated in the plan proposed. The League will try to build public support in the coming year.

7:45 p.m. Preapplication Hearing for Block Grant regarding re-development of downtown Southborough. Administrative  
7:50 p.m. Assistant Grossman gave a brief summary...This is a\* block grant. We are still in the preliminary stages but basically we will utilize the plan that Paul Brefka and his Fire Station Committee and the MAPC drew up which would provide for street reconstruction, buried utility cables, mainly to revitalize the center of downtown - to put in sidewalks, put in amenities such as lampposts, trees, waste receptacles, benches, also look into possibility of off-street parking as well as the possibility of providing loans to the business men in the downtown area who would like to revitalize their business establishment. The Board of Selectmen would administrate the grant. The purpose of this meeting is to solicit public comments and input. David Bresnahan, reporter for the Middlesex News, asked what the next phase will be, what takes place in order to reach the application phase. Administrative Assistant Grossman replied that in order to reach the application phase we have to submit a proposal by this coming Monday, May 3, and then if that is successful, the Office of Community Development will select a limited number of towns to go on to the application phase. There were no other questions or input from the citizens present.

8:00 p.m. Board proclaimed April 30 as Lyscom Apple Day. This is to the Fifth Anniversary of the day that 30 trees were planted in Southborough in 1977. The Selectmen presented a Proclamation to Earle Q. Watkins, President of the Historical Society. Mr. Watkins in turn presented to the Board a Certificate of the survival of the trees and stated that out of the original 30 trees eight privately-owned trees are surviving and about five publicly-owned trees are surviving. Carole Maconi, a member of the Historical Society, was also present.

\*preapplication in order to qualify for the application phase for

8:05 p.m. Selectman McAuliffe made a Motion to recess for ten minutes to allow the Board to attend a Planning Board Hearing regarding requested approval of new subdivision off Oregon Road called "Towne Lyne Village". Sel. Cipriano seconded the Motion. Unanimous VOTE.

8:15 p.m. Meeting reconvened. Chairman Bartolini announces this is to a hearing to hear the latest Report of the Route 9 Study 10:00 p.m. Committee and to receive public input regarding the State desiring to close the crossovers at the intersections of Middle/Turnpike Roads and White Bagley/Breakneck Hill/ Turnpike Roads. This Committee started a year ago. Ch. Bartolini, also Chairman of the Rt. 9 Study Committee present, Vice Chairman Alex Hill, Fred Douglas, John Boland, Gordon Stipe, Roger Capone, Betty Soderholm (member Howard Berg was unable to attend), members of the Board of Selectmen and the Selectmen's staff. He then turned the meeting over to Alex Hill, Vice Chairman of the Rt. 9 Study Committee. Mr. Hill read the 10-page Report to all present and gave brief explanations as he read the Report. (see attached pages for a transcript of this meeting). Sel. Cipriano made a Motion, seconded by Sel. McAuliffe, and it was unanimously VOTED by the Board: to accept the Rt. 9 Study Committee's Report just to incorporate it into the Minutes. Approximately 65 citizens were present.

DISCUSSIONS:

Re: Local Aid - Administrative Assistant Grossman spoke with the Representative Joseph Navin on Monday, April 26, who told him that under the House formula for Local Aid, with the Senate and the Governor's support, the Town of Southborough will receive an additional \$99,235 for FY 1983. However, this has not been finalized.

Re: Petition Selectmen received regarding the installation of wires for cable television.

Administrative Assistant Grossman stated that the regulations being proposed are only to control who is eligible to attach wires to the poles, how they will be attached, and what would be charged for the attachment. It does not allow a cable company to come into Southborough and do business with the Town of Southborough.

Re: Towne Lyne Village Subdivision Meeting - Town Counsel Busconi attended a Planning Board meeting on the above regarding request for subdivision approval by the developer. The meeting was long and involved with many abutters attending. Hopefully, the Planning Board will make its decision next week. The abutters were taken back by the fact that the developer did not attend the meeting. However, his engineer did an excellent job in terms of his presentation and in the terms of the engineering work. However, the abutters had concerns such as fire protection, etc. The problems brought up by the Selectmen last week are still unresolved. This subdivision has a lot of problems.

Re: Bridge on Rt. 85 Weight Limitations Posted by State at Intersection of State Route #9

Denson Satterfield asked what can be done about these new signs. Right now the fire trucks and Highway Department sanders cannot legally cross these Rt. 85 bridges as these vehicles are over the weight limit. The State says they have no money to fix these bridges now. Hopefully, the Town can get some sort of waiver while we are dealing with the State on this matter and the median crossing matter.

Reconstruction of Rt. 85 Bridge (railroad) - Questions were asked if the Selectmen had received a starting date for the reconstruction. At this time, the Selectmen have been told that the layout work is being done on the surrounding land, and then the collected information will be put into the design. The State will be widening a portion of this section making it a more sophisticated-looking roadway with a lot of improvements, such as a sidewalk.

10:30 p.m. VOTED: to adjourn the meeting.

*Marjorie R. Putnam*

Marjorie R. Putnam, Secretary

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TRANSCRIPT OF RT. 9 STUDY COMMITTEE MEETING OF APRIL 27, 1982

Subject: Citizens Input Meeting re Rt. 9 Median Closings.

Alex Hill: What I have here...is a report for my reading to hopefully try to answer some of the basic questions. I'll go over some of the details we did to try to give you some understanding of what we went through over the last year and once I am done with this, I'll turn the meeting back over to Louie so he can chair the questions that might arise.

The reason for the committee was on May 28, 1981 at the Sel.'s meeting. There was much discussion which arose due to a Theme Park to be built in Westborough. The DPW study recommending the closing of White Bagley and Middle Roads which was in part due to the Registry's recommendation following another fatal accident at White Bagley. Another item was public concern about Rt. 9's relationship to and the affect on the Town. ...When we first met we established long term and short term goals of the committee. The long term goals were (1) keep Southborough unified and not divided. Provide free access across Rt. 9 for people, emergency vehicles, and local traffic. (2) keep local roads safe. (3) to seek residents' input. (4) while improving Rt. 9 as a safe and efficient artery as possible. For short-range ideas we came up with: (1) street lights to light up the intersection (2) lower the speed limit to 45 on Rt. 9 (3) enforce the speed limits and (4) traffic lights.

We had numerous contacts which I won't read here but they included the State Rep. and Chairman of Transportation Commission Louie Nickinello, several members of the DPW, the Bureau of Transportation Planning and Development, Metropolitan Area Planning Commission,

Town of Framingham, Town of Westborough, the Registry of Motor Vehicles, South Middlesex Chamber of Commerce, and numerous others.

Some of the basic data we were able to gather, and this is very brief, I would like to show you just one of the reports we found - this is an Environmental Impact Study given to us by the First National Bank of Boston which at some time hopes to construct a million square foot office complex at the Framingham/Southborough line. There were numerous items like this.

In 1975 there was a TOPICS Study. The TOPICS Study recommended that (1) close the intersections. (2) reconstruct the clover leaf at 85 and bring it up to today's standards. (3) in 1980 the traffic on Rt. 9, this is DPW information, at 85 on Rt. 9 was 26,750 vehicles per day. During the same time study, Rt. 495 in Hopkinton was only 23,750/day. In 1981, according to the First National Bank, not the Department of Motor Vehicles, Rt. 9 had increased at the same point to 35,250 vehicles per day. That is a 32 percent increase in one year. February 25, 1981 we received along with the other towns along Rt. 9, notice of an aerial survey. This aerial mapping was taken. Nothing has been done since. There is prospect for plans that may be as far as ten years out and according to various departments within the State government, there is no master plan at present for Route 9.

The latest accidents report that we have been able to get which are only up to 1979, even today I was still unable to get 1980 or 1981 statistics. But, at White Bagley Road from 1973 through 1979, there were 53 accidents of which 4 were fatal, 26 involved injuries. At Middle Road there were 24 accidents. It doesn't go into any other details other than that. In 1980 and 1982 I don't have details on. I know many of you are aware of numerous accidents that have been out there. These are only the reported accidents not the small fender-benders that have happened out there.

The alternatives we studied:

1. Status Quo. We maintain the status quo. There are going to be continued accidents, injuries, property damage and again, possible death.

2. Better lighting. First of all the lighting power has been increased already at the intersection of White Bagley. Although my own personal comment, I feel the lighting is poorly placed. It shadows the cars rather than highlighting them. As a second point, most of the accidents occur, most of the accidents have occurred during the daylight hours from 6 am to 6 pm, according to the Registry numbers.

3. Install flashers. First of all, the crossings do not meet Federal requirements necessary to have a flasher installed; the cost of flashers; and the questionable effectiveness of these flashers.

4. Lowering the guard rail provides better visibility, particularly with the smaller cars that are out today. According to the DPW, the guard rail is almost too low right now due to the resurfacing of Rt. 9 and cars could very easily jump the guard rail thus providing head-on collisions on Rt. 9.

5. Traffic lights. First of all, the intersections do not meet the guidelines of Federal requirements, minimal requirements for installation of traffic lights.

There is just not enough traffic there, cross-traffic mind you. The cost - the estimate I have is from \$30,000 to \$50,000 per set of traffic lights. It depends on what kind of controls you want, how many lights you want, etc. Environmental affects - traffic lights increase pollution due to the idling cars and energy usage both from cars just waiting for lights and of electrical power. The supporters for the traffic lights were Senator Foley on 5/21/81 writing letters to the Registry and the DPW stating that he agreed that our streets are dangerous at the intersections and should have traffic lights; and the Selectmen on 5/14/81 writing similar letters. The point about traffic lights is a general statement, but accidents usually increase when a traffic light is installed by approximately 10% although the severity of these accidents decreases. I am mainly talking about small rear end collisions from people who don't slow down in time for the traffic lights. A new item brought to the attention of the Committee is an Article called Warrant 5 which is in the Federal Regulations which to very quickly paraphrase states that lights may be justified so as to regulate group speed, in other words, to create a hole in the traffic pattern which cross cars could go through.

6. To lower the speed limit to 45 miles per hour. At that time the DPW stated they doubted that we would get approval for lowering the speed limit due to the 55 mile per hour design and lack of businesses, etc., residential area - along this particular stretch.

7. To enforce the speed limit. At that time the Town Police we were told, stay off Route 9 for purposes of traffic control. We do now have a new Chief who has not made comment on this and he is unable to be here tonight due to prior commitments. Proposition 2½ could bring several cutbacks in radar traps by other departments and we did make a request to the Board of Selectmen at that time that we have radar traps put out onto Rt. 9. From my own personal knowledge I have seen very few in the Town of Southborough. From my own personal knowledge I have seen quite a few in other towns - Shrewsbury, Westborough, Framingham -- no reflection on the Board of Selectmen.

8. We looked at closing only one crossing. The Committee felt at that time that if we closed only one, it simply moved the problems to the other crossing.

9. If we closed both - I would like to hold comment on that until I get to the original report we gave in October.

Future Traffic. Westborough. GTE, the missle plant there by Hines Construction, is 300,000 square feet. In 1981 they expect an increased flow of 2,000 cars through our area. In 1983 another increase in traffic flow by an additional 9% just due to that one project. Phase 2, as they are going to construct more, they are expecting another 9% increase in traffic flow with a total of 6,460 trips per day and at peak 1,800 cars per hour. The construction of Ho Jo's, which I just found we got another Environmental Impact Study, fortunately a lot smaller, and the many other constructions that are going on in the Westborough area.

Framingham. The First National Bank of Boston, which estimates 3,000 cars and a million square foot office complex, including their requesting a cloverleaf and several other items to be built. What will happen on that has not been decided and is basically on the "back burner" at the present time. The golf course development in Framingham, which is an estimated 3,000 car parking again, and the Framingham Industrial Park which is still growing.

Marlborough. They are talking about an industrial complex at I-495 plus their present complex authority there and whatever becomes of the Casino building now up for the Marlboro area.

Southborough. The A.J. Lane office complex, the Southborough Industrial Park, other Rt. 9 businesses that are presently in existence, and new businesses along Rt. 0.

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On October 9, 1981 we presented the following, and I have since revised this through new information which has been presented to the Committee. It was addressed to the Selectmen, Chief Of Police, Fire Chief, All Committee Members:

"Following several months of study and discussion, the committee makes the following recommendations and comments to the Board of Selectmen:"

Please keep in mind that this committee is only to gather information, and present this information to the Board of Selectmen. We have not made any decisions, only recommendations.

"1. That Rt. 9 in Southborough may expect as much (as a) 30% increase in traffic flow over the next few years, due to the rapidly expanding industrial and business parks that share our local area."

Note that 1981 traffic information provided to use was a 32% increase already. So we undershot on that one.

"2. That Rt. 9 in Southborough is not constructed so as to safely handle its present traffic flow and permit safe access to local roads, nor does it permit safe access from local roads onto it."

Note: I would like at this time to read one paragraph from First National Bank of Boston Environmental Impact Study (page 3-23). This basically is their information and their opinion regarding the data they gathered regarding traffic and other minor impacts that will happen when construction goes on.

"Entitled: Rt. 9 and White Bagley Road/Break Neck Hill Road Under the existing conditions at this unsignalized intersection, the minor street movements onto Rt. 9 and the left turns off Rt. 9 experience levels of service near or at failure during both morning and evening peak hours. These conditions are produced by a variety of factors which occur at the intersection. The high volume of through traffic and the relatively high vehicular speeds on Rt. 9 are the most important. Because of these two factors, gap time between vehicles is generally insignificant to allow the safe move-

ment of vehicles to and from either White Bagley Road or Break Neck Hill Road, and thus failure conditions occur."

I assume failure conditions mean either the intersection is no longer viable or you have accidents. Back to our original recommendations:

"3. That major improvements are necessary to the roadway. These improvements include, but are not limited to:

A. The reconstruction of the Rout 85 interchange to comply with Federal standards."

Note: Since our original proposal, Rt. 85 now has a weight limit so as to prohibit its use by firetrucks, sanders and many commercial vehicles. This is totally contrary to what information was provided to us by the DPW only 3-4 weeks prior to the installation of those signs.

"B. The construction of decelaration lanes at all roads exiting from Rt. 9.

C. The construction of acceleration lanes at all roads entering Rt. 9.

D. The enlargement of all left turn holding lanes at the (presently) controlled crossings.

E. The construction of a road to permit North-South travel for pedestrians and vehicles through Southborough and across Rt. 9, west of Route 85."

Note: That is something we left very open whether it be a raised grade, in other words, an overpass, a control light, something west of Rt. 85 to provide safe access to the Town, whether it be at Middle Road, Parkerville Road, or down at Crystal Pond Road, or any place else. We didn't go into details.

"4. That all concerned State governmental departments and officials, including the Governor's Office be kept aware of the Rt. 9 situation, its effects on the Town and its effects on State industrial growth.

5A. AS ORIGINALLY PRESENTED AND SINCE WITHDRAWN:

That the State Department of Public Works be permitted to temporarily close off the crossings at Middle Road and White Bagley Road for a period of six months so that the effects of these closings may be studied. These barricades would be constructed so as to permit the crossing of emergency vehicles."

5B. AS NOW PROPOSED:

1. Request that the DPW review the section of Rt. 9 from Central Street to Crystal Pond Road so as to lower the speed limit to 45 miles per hour.

2. That we install traffic lights at the intersections of White Bagley Road and Middle Road at Rt. 9.

It should be stressed that this is only going to reduce some of the present danger while relocating other dangers to other intersections.

During this trial period, we recommend the following:

1. That after approximately three months, the traffic counts be taken at the intersections of Crystal Pond, Rt. 85, and Central Street, with particular attention to left and U-turns.
2. That the traffic flow on Rt. 85 interchange be observed determine if the redirection of traffic flow so as to result in a diamond interchange rather than the present cloverleaf construction, would be beneficial.

It should be noted that the present design of very tight exit and entrance curves combined with two-way traffic, offers tremendous potential for head-on collisions. This is on the Rt. 85 cloverleaf.

IN SUMMARY, Southborough has a very serious problem. The problem is going to get worse and there is no easy one-step solution to it. The actions taken, whatever they might be, are going to affect nature and the future of Southborough.

We basically have two choices: (1) We can isolate Rt. 9 from the Town and allow the I-495/Mass. Pike shortcutters to pass through at high speed, unincumbered by local traffic and lights; OR (2) We can have Rt. 9 traffic slowed and controlled and allow the intermixing of local traffic. This could result in: higher pollution levels, increased minor accident rates, increased local traffic and congestion, and also decrease through traffic as this traffic might move out into the Mass. Pike.

...END OF REPORT...

Ch. Bartolini: Alex, I want to thank you for the report and now for the questions.

Danny Phaneuf, 181 Middle Rd.: Why were you unable even up to this date to obtain accident data for 1980 and 1981?

A. Hill: As the committee met, we had just got 1979; it was published almost a year late. It is on a computer of the Registry of Motor Vehicles and despite numerous requests through the DPW and then via the Registry they were unable to give us the new data. I called today and it could be in some consolidated data but I wasn't able to get it for tonight's meeting. I gave up on the DPW. The people that were at the station today said it wasn't easily available for tonight's meeting - not that it isn't there - not that it isn't available. We have a general feeling that there have been numerous accidents out there. The severity of these accidents, I believe, could be attested to by some of the people here tonight. The close calls I know could be attested to by several people here tonight. The ones that didn't get reported and didn't result in at least serious damage. I believe the point is there that it is a problem and the problem is going to stay if it is left as is. I think the Board of Selectmen, if they desire it, we should keep going on.

David Bresnahan, reporter for The Middlesex News: Regarding the request that came from the Registry of Motor Vehicles to close down the intersections, you said that earlier in your report this evening,

you said that it was based on a fatal accident - what year did that accident take place and if the Registry was expressing a concern over their data, why did they not make their data available to your?

A. Hill: They have made numerous data available to us. One is a rather large report which takes us from 1973. This is traffic volume up to 1980. We were given that with some figures taken by the DPW. We also received from the Commonwealth of Massachusetts, Registry of Motor Vehicles, the recently fatality on Rt. 9, dated March 27, 1982, emphasizing their concerns as to the fatal accident produced by this intersection and goes on to express their concerns and the he provides us with most of the accident data in regard to those intersections and nearby intersections. Some of the accidents are broken down by the types, property damage, injuries, fatalities, etc., and all accidents along Rt. 9, what type they are, rear-end, angle, weekdays, weekends, what time of day, etc. Some schematics - this particular one is of White Bagley/Break Neck Hill Road which shows where the accidents are occurring in the intersection and where the fatalities were. An accident might involve several cars. Some of them were outside the intersection, others were right in it. They had few proposals with pictures included of how the Registry thought some things might get down. One of the items they included was the closings. But there were numerous other points brought up such as the lack of acceleration lanes and deceleration lanes. So they have been, I don't want to make a point that they have not been, somewhat cooperative. They have come to several of our meetings to give us information. Since our last meeting they were in a bit of a turmoil due to 2½. To quote one of the individuals who was here who represented the DPW, he wasn't sure he was going to be the bottom man of the totem pole with no one working for him within a few weeks. This was back in October. Since then I have that, these people did get the information. It is not that it isn't there, they just haven't provided it to use at this time. These are not formal requests from the Board of Selectmen or anything like that. They have cooperated to a point. They just haven't jumped when we have asked them to jump.

Roger Capone (member of the committee): I am philosophically opposed to closing any of the crossings at Rt. 9. I think we are attacking the problem from the wrong standpoint. It is like beating a horse to death because he was stolen. I think that the problem here is that the traffic is too fast on Rt. 9 and I think we should do something to slow down the traffic or make it so difficult that they go to the Mass. Turnpike. As I understand it, when the Mass. Turnpike. As I understand it, when the Mass. Turnpike came through this was going to take a lot of traffic off Rt. 9 - the through traffic of Rt. 9. If you notice at any given time, if you get on I-495 when 495 exits onto Rt. 9, you will see any number of cars getting off 495 coming down helter-skelter Rt. 9 and then getting on the Turnpike at Framingham rather than spend the extra money to go to 495/Rt. 9 the Turnpike...end of Tape #1.

Tape #2...

to go across town. Certainly Rt. 85 is not adequate, and if you make a cloverleaf there without increasing the capacity of the road, the road is up to capacity now and you can go there any morning and see how fast the cars go and how many cars there are that use that road. That won't help by making the interchange bigger. It will help the trucks get on and off but it is not going to help the

trucks get on and off but it is not going to help the traffic. If you close the other exits, all the traffic is going to be thrown onto the small country roads on either side of it and I don't think that is satisfactory. I am opposed to the closing.

Charles Gaffney, Middle Road: I have lived in town 25 years and I think the committee has done a fantastic job presenting all the traffic studies. But the thing we're concerned with, by living on the south side of town, is the people that are over there. People have to get to this side and the only access we have now is 85. And we are afraid that if anything ever happens, maybe an accident on 85, fire trucks, police cars, nothing can get to our side of town. I don't like the traffic situation, the accident situation either, but we don't want to be shut off anymore than we are. We can't walk across Rt. 9 safely and we are still in the same town. I feel that if we close those roads, we are going to be shut off even worse than we already are. They said they would put center strips in so the fire trucks can get over. They told us that twenty years ago when they shut Parkerville Road off. Parkerville Road now has a guard rail and you can't get through that way. If you say they are going to give us this and that, the same thing will happen with Middle Road and White Bagley, probably they'll close them off eventually and it will completely shut off the south side of town, so I am opposed to it

James Lawless: To the gentleman who did the survey, has there been any comparison done, say for instance, with Temple Street in Framingham and the Chapel Hill crossover as to the amount of accidents in those two areas? Let's have a comparison on those two highly traveled areas compared to our traveled areas here.

A. Hill: The DPW has got many statistics on them. We only looked at the area of Southborough. We did not.

James Lawless: You did not. Then I don't think you did your job properly. You should have compared other areas of Rt. 9, not just these two areas. I have been in this town for 27 years. I travel Rt. 9 across it every day of the week. I have not had a problem crossing either White Bagley or Middle Road, or even when Parkerville Rd. was in operation. I have not had a problem. I am opposed to closing either of these exits.

A. Hill: So is the Committee now.

James Lawless: Yes. you changed your mind, since they posted the sign on Rt. 85.

Committee: No. That is not true.

A. Hill: There has always been various opinions on the committee. The committee has not been a unanimous group and hopefully it wouldn't be. That is not the purpose of the committee. There have been many viewpoints expressed by the committee members from all aspects, from all points of view. Like yourself, I travel across there. I travel across there daily and I don't have any problem. I came here tonight across there. No problems. But also, we have gone out there at other times and as the First National Bank of Boston report said at peak hours, and one of our committee members was standing there with a camera just by chance to watch the rush hour time and

I believe there were seven or eight vehicles in there at one time, including a tractor-trailer trying to make a u-turn with other people trying to get across in between the truck that was making the u-turn. Many of us can get across there with no problem, fine. Many local residents can go across there, fine. It is still a problem. We have a lot of shortcutters - people who come off Rt. 495 or the Pike to go to the various industrial parks in the area. These people are coming through at a time when the school bus traffic is there, the kids are there, other people going to work at rush hour time are there. If the people are patient, they can get across. The problem is some people, be they Southborough residents or not, be they you, myself or somebody else, are not patient. They jump across. There is one young lady here tonight who can attest to this. They will dart right in front of you and this is what causes many of the accidents. I don't mean just on weekdays.

J. Lawless: What you are saying we should educate our people. I think if the Police Department were out there, if they could concentrate more on Rt. 9 rather than Rt. 85, we might eliminate this problem.

A. Hill: In our suggestions we requested that the speed limit be lowered and that, again, we have some control out there. I don't want to suggest anything to the Police Department, to Chief Baker either, to defend himself or to offer comments to the contrary.

Bill Rudd (Middle Rd.): You made a comment about doing an impact study on the traffic at the Rt. 85 interchange if these two crossovers are temporarily closed. Do you have a count on the amount of traffic that is there now?

A. Hill: We would have to get it at both ends prior and then three months after people have had a chance to become accustomed to the new traffic pattern. You would have to have both and then compare the two.

B. Rudd: You have made comments about environmental impacts and so forth, assuming that - and let's make a hypothetical situation - your committee decides to ... suggests to close these two intersections. How much of an impact would that actually have on the closing? Would that likely happen if you all agree to close these intersections or not?

A. Hill: The environmental impact study, and I am not a State Engineer with any of the highway departments, but to basically say where these come from is when there is going to be major affects by constructions, major revisions, Fred - you might know a little more about where the limits of environmental impact studies come.

Fred Douglas: These closings, if we were to decide to close, would not require an environmental impact report or a study at all.

B. Rudd: There obviously is going to be an increase in the amount of traffic in the back streets of town, the road I would be most familiar with is Mt. Vickery Rd. On the other side, General Henry Knox, etc. Would this be part of your consideration?

A. Hill: Very much so. Particularly on Middle Rd, there is some-

thing like in the area of twenty young children that are preschool or just starting in the schools. That naturally translates into a lot of little kids running out in the middle of the street which I have three of them and many of the other people here have got a number of them. I personally don't want to see the hight traffic increase much. I also don't like watching the through traffic some whipping down Middle Road which has improved lately.

B. Rudd: If you and your committee recommend to close these two intersections, what is the likelihood of that happening as opposed to say recommending that happening?

Chairman Bartolini: Right now, the status of the intersections is that the Department of Pulbic Works is waiting for the Town of Southborough to ask them to go ahead and close them unless they have word from Boston to close them. That is from the Director or Public Works in Worcester.

B. Rudd: If the finding of this committe is that they should be closed, they will be closed?

Ch. Bartolini: No, the finding of this committee is reported to the Board of Selectmen and if the Board of Selectmen finds with the committee to close them, we could notify the DPW and they will be closed or the DPW could do it at will right now.

B. Rudd: The reason that I ask the question is that it will increase tremendously the burden on Rt. 85 interchange which will be a tremendous economic impact and somebody will have to pay for it all.

A. Hill: You are right, the Rt. 85 interchange has some serious problems as its exists today.

Sel. McAuliffe: I see problems not only at Rt. 85 but I see a major problem at Central Street. If those closing are initiated, we are going to have to take some type of action at the lights in Fayville, whether it is to lengthen that green arrow, or whatever, and you can rest assured that the traffic that is now going over White Bagley is going to go up and is going to go down Central Street. We have people living on Central Street who have come before this Board complaining about the truck traffic that is going over that road already. Should those intersections be closed, I see a major problem on Central Street. In addition to a major problem at t. 85 and with the new posting on that bridge, I don't know how those heavy trucks or where they are gong to go once they come up 85, because they can't go across that birdge as it is posted now.

Millie Blood: I would like to see them both closed. I have lived in town for 18 years. When it comes to a death, nobody knows the feeling unless it happens to yourself. I don't mind going down and going around to tentral St. or where I have to go to get across. Something that happened to me was on April 2. I was coming from the dump and was going no more than 45 and a car was coming west - White Bagley and he had his directionals on - right straight across the street, never even stopped. What about a stop sign on the cutover on either side to have them stop. It is a wonder I didn't kill hem. They weren't even aware that they had cut across the street. And I would have been at fault and probably killed them.

I think selfishness enters into a lot of us and I don't mind going out of my way. I want to commend the Rossi family for not complaining. They have a wonderful family restaurant. People will go there and go out of their way to get there. We go out of our way to get several places. The Andrea is the same. We will get where we want on the other side of town.

Patricia Bennett: I have a petition here I would like to submit to the Chairman and the Selectmen by people who are opposing the closing of Middle Road intersection. Eighty percent of the petitioners are registered voters, and 20 percent are taxpayers of Southborough.

Bob Bishop, Break Neck Hill Road: Is it possible to put stop signs, large stop signs - most of the accidents, and I know one of the fatal accidents was because someone didn't bother to stop in the middle of Rt. 9 trying to cross from White Bagley towards Mr. Vickery. Is there any way that something can be set up so people are forced to stop or something to indicate that they should stop in the middle of the road rather than make the crossing in one pass - particularly elderly people. It is terrible crossing that road, they keep on coming. They don't stop in the middle.

Ch. Bartolini: To answer your question, stop signs can be erected. They would have to be approved by the State Dept. of Public Works.

B. Bishop: The same problem in making the left turn to cross, can it be done that way? Such as people turning left must stop, or something like that? It would give the Police something to enforce at that intersection at least.

Ch. Bartolini: Maybe the Highway Supt. can answer that.

John Boland, Highway Supt.: Obviously signs on all four corners on either intersection is the responsibility of the State. The Town has absolutely no control. Obviously at White Bagley Road and Break Neck Hill Road larger stop signs could be erected, the same at Middle Road. To be perfectly honest with you as to exactly what could be erected on the median strips to make them stop in the center, I honestly don't know. I would have to check.

Kevin Moran, Mt. Vickery Rd.: First of all, I would like to compliment the committee. I think they obviously worked quite hard on their report but primarily I am opposed to closing either one.

(1) there is a lot of talk about 85. Right now there is a load limit of 11 ton on a six wheeler on a two-axle truck which is a very strong limit. It doesn't allow the fire trucks to cross it. It doesn't allow by law, sanders or dump trucks to cross there. If you close off both those roads, you are going to increase the vehicular speed of the cars using Rt. 9. Right now trying to use the 85 cloverleaf is a very dangerous situation especially if you have to go under it and make the leaf as I do every day. It is very dangerous for cars coming up behind you, and you're going to increase that speed by closing them. The closing is also going to increase the traffic on the side roads, Mt. Vickery being one. We also have a lot of small children. They are going to be in the road. Mt. Vickery is a narrow, winding road and I am vehemently opposed to the closing, especially the Middle Road intersection.

Sel. Cipriano: Mr. Hill, I don't know whether you can answer this question but do you know who authorized in the State hierarchy this weight limit in the past three or four weeks on Rt. 85?

A. Hill: No. I don't.

Sel. Cipriano: Is there a way that the Board of Selectmen can find out who and why? John, who would usually be responsible for that type of a change?

J. Boland: It is my understanding the rating of the bridge is part of the routine rating of every bridge in the Commonwealth and is done by the structural section of the Dept. of Public Works.

Sel. Cipriano: If that is true, what they are saying is that their bridge is not structually as sound as it used to be, I would assume and that is why they limited the weight, would that be a fair assumption?

J. Boland: I don't know whether or not that is necessarily fair, bridges don't deteriorate that much.

Sel. Cipriano: Why would they reduce the weight?

J. Boland: Again, part of their routine rating bridges in the Commonwealth, obviously you can count up the number of bridges and that is a sizable task and it takes time to do them all. I am speculating. The Bridge Section can give you more information than I can.

Sel. Cipriano: Just a comment, that State in its wisdom, and we assume that they coordinate their activities, has said that they think that the Town of Southborough or those interchanges should be closed and while we are deliberating upon the closing of those intersections, they go out and they put a weight limit on one of the primary accesses that would be affected by our closing and thereby not allowing our public safety or public work vehicles to travel on it. I will leave that just as a comment.

Jim Cookman: I have existed on Rt. 9 for thirty years. I recall 18-20 years ago when we first asked for traffic lights and they said it was too expensive. There was no question at that time on the amount of traffic and since then there have been traffic lights put upon Rt. 9 that have less traffic problems than we have on these two crossovers. But, if the lights had been put in, we wouldn't be sitting in this room here tonight. I would like to speak about the bridge because I wonder if the State isn't just forcing a hand on us by putting this limit on that bridge. They are putting an extra load on White Bagley and Middle Roads. There are huge trailer trucks that go up to Western Electric five days a week. They use, or are supposed to use, the 85 interchange to reverse their direction. They don't always do it and occasionally they tie up Middle Road with a very long, flat bed making a u-turn. I get my gasoline coming from Rhode Island. It comes up 495 down Rt. 9. He uses the interchange as all the gasoline companies require their drivers to do and now he can't go over that. So where does he go. He goes down to Fayville and certainly he isn't going to relieve any pressure on the Fayville lights, or they might send him on down to Framingham somewhere to reverse his direction. I think that by putting this weight

limit on that bridge so suddenly without any statement of safety of the bridge or anything, is ill advised. I don't think it is worthy of good judgment and I don't think the town should accept it as it is. It went up there in a week's time and all of a sudden various trucks - cement trucks coming down from Milton way - they can't go over this bridge any more. Where are they going? Go up Mt. Vickery, weave around, get onto Rt. 9 to go where they have to go or they are going to break the law and go over the bridge. I think the State Department of Public Works needs a damn good spanking.

Lorraine Keller: If you send all the traffic off of 9 onto 85, there is going to be one heck of a mess up there if you go westbound - if you go southbound on Rt. 85, you can't see when you are getting out on Rt. 85 what is coming over that rise where the bridge is. I do it constantly and that is the most hazardous place I travel every day. There is a hump in the bridge and you can't see what is on the other side. All of a sudden you are out there and all of a sudden here comes somebody from the other side of the bridge.

Charles Swartwood: I would like to register my opposition to the closing off of these intersections. First of all, I listened to the report and obviously they have put a lot of time into it and they talked about isolating the problem as one of the alternatives. The only isolation you are going to get if you cut off those intersections is a high speed lane that is going to run right through town and is going to continue to encourage the people coming from the City of Worcester going to Framingham or Boston to continue to use this shortcut and they do it. Quite frankly, it is the easiest way to get from a major metropolitan area to other major metropolitan areas. Rt. 9 in Shrewsbury, Rt. 9 in Westborough discourages through traffic so therefore 290, 495, Rt. 9 to the Mass. Pike and back the same way. The other isolation that it will cause is just further isolation of this town. First of all, all the businesses that are located on Rt. 9, like the Cookmans, the Rossis, and many others, are really going to be isolated. Mrs. Flood referred to the fact that you can go maybe from 85 up to Central Street back to 85 to get to the Rossis to have dinner. That may occur by some people in this town but I am not so sure it is going to occur for a good part of their business nor do I think it is going to occur for a good part of Jim Cookamn's business. Each one of these roads really services a separate neighborhood in our town. Any mlre closings on Rt. 9 poses problems psychologically from the damage to the town because we already have this feeling of separation because of Rt. 9. If you close off those, you really are separating the town. People on the south side of Rt. 9 won't be able to get to where many of the medical services are, where some of the stores are on this side, and people living on the west or the north are going to use those businesses located on the west and the north and the same is true for the south side. It is bad for business. It is a bad potential for a developer for some of the property that we have zoned commercially on Rt. 9. I think a solution has been suggested here and I think it is an excellent one. First of all, put the traffic down. Make them go slower. Let it accommodate both local and through traffic. Do not encourage through traffic to encourage people to use it as a shortcut. Slow them down. If you have to put in traffic control lights, put in traffic control lights. I think the Police if they think it is necessary, to go out there and enforce the law. There are a number of judges who used to come from the eastern part of this State, and I am certain, and they have an awful lot of trouble here in the Town of Southborough..(inaudible). So I would like to strongly recommend and suggest to you and the members of the Board of

Selectmen to make a strong record of opposition to the Dept. of Public Works opposing any closing of these particular crossovers.

Virginia Ogilvie, 9 Highland St.: I just want to say that I support that gentlemen's statement entirely. It was very well stated. I support not closing Middle Rd. or White Bagley Rd.

Peter Phaneuf, 170 Middle Rd.: Some of the comments here tonight remond me of the second Worl War movie where the joint chiefs sit around the table and decide (end of tape #3).. barbed wire. They have closed a number of crossings in the area. I can remember there used to be a dandy one right on the top of Overson's Hill. The people who live on Deerfoot Rd. now are isolated from the north side of town. They have to go all the way down to Crystal Pond Road. Of course, you couldn't see a car on that crossover from either direction because it was right on the crest of the hill so it was probably a foolish reason to close it! There used to be another real dandy one down at the end of Flagg Road. That happened to be in a curve on a downgrade - about two or three feet wide, maybe you could get a couple of wheels, maybe the front wheels of your car into it. Actually a car coming from Westborough couldn't stop if it was slippery at all. There used to be a beauty at Brook Lane where Plywood Ranch is. Of course, once again that's at the bottom of a gully and you couldn't see a car until you were half way on it. I've been in town for 38 years, I've been in public safety for 25 years primarily on the fire department. Ask anybody in public safety in the fire department, in the police department, ask them where the most dangerous spot in town is, where the most accidents occur and I am pretty sure, without a doubt, they'll tell you that it is the crossing at White Bagley and Break Neck Hill Roads. I have been in the back of the ambulance with the dead people. I have been in the back of the ambulance with some mangled kids. That is the whole issue here as far as I am concerned. That crossing is a death trap. It probably is one of the more insignificant crossings on all of Rt. 9 that I can think of. You come to the point in hand, you think of a less significant crossing than that. It serves two relatively minor streets. It is easily and not that difficult to go to 85 to change directions. If you are coming from the north side of Rt. 9 and I grant you it is more difficult if you are coming out of White Bagley Road - excuse me, Break Neck Hill Road - and by the same token you could go over to Mt. Vickery and hit the bridge at 85. I feel that this issue has been tremendously shaded by things like weight restrictions on Rt. 9, by the crossing at Middle Road. I live on Middle Road. I would gain from them shutting the crossover at Middle Road. I have three little kids. It would eliminate a lot of traffic on my street. The traffic accidents don't, in my opinion at this time justify the closing there. In my opinion, the traffic accidents and the deaths and the 26 injuries, and not even counting the last two years, justify at least temporary closing that crossover at White Bagley Road. Millie Blood made and excellent statement. The Rossi family have an excellent restaurant there and I realize that it would be an inconvenience to your customers. But, because it is an excellent restaurant with an excellent reputation, I don't think the people, that your customers would be hesitant to go the extra few hundred yards. I think some of your customers didn't come back from there too. I know that philosophically it will cut the town in half and psychologically you are going to do this and we are going to lose...

with the State, the fact of the matter is that government, for the most part, since its inception was set up for the purpose of protecting the public and the public safety of the citizens right from the day one. We have a clear and present danger. If there was a maniac out there who in the last ten years shot four people and killed them and injured 27 people, we would have every SWAT team in the State out there and shoot him down. Right? But we have an opening there that creates death and injuries and it should be plugged.

Francis Russell (on behalf of Mr. and Mrs. Rossi): Some mention has been made about the ffeeling of losing business and that is why I would like to mention that the Rossi family have been members of the Southborough Community since the late 1800's. Their concerns go beyond any business-related concerns. They have a very deeprooted concern of the welfare and the safety of the Town of Southborough and its inhabitants. With regard to what has been said here tonight, I think most people are in agreement with this gentleman that there is a problem at White Bagley Road and I think the Board has come up with a number of solutions. I would like to speak to them in opposition to the solution that that intersection be closed. The problem has been mentioned of traffic increasing on Rt. 9 at the rate of some thirty per cent (30%). That rate, aside from increasing traffic on Rt. 9, is bound to have an affect on access roads to Rt. 9 and the exit roads from Rt. 9. Limiting access for people from Southborough be they norther residents or southern residents to the Rt. 85 crossover is going to greatly increase the percentage of traffic in that area probably some two or threefold from the 30% increase on the Rt. 9 traffic. I suggest a number of solutions, mainly the traffic lights, the lowering of the speed limit and the access lane or the exit lane are valid proposals. The Chairman of the Study Committee mentioned the DPW has said that there has not enough of traffic concentration to warrant traffic lights. That was based on the 1980 report of some 25,000 cars a year. It has been stated that in the First National Bank report that there are now some 35,000 vehicles travelling this road each day, which I suggest may be enough to qualify that intersection for the traffic light. It has also been mentioned that the environmental report has stated that placing traffic lights there would cause certain smog and noxious odor problems in the area. The report of the First National Bank also went on to say that as it presently stands, entrance onto Rt. 9 is at a standstill with the oncoming traffic on Rt. 9. Now those cars that are at a standstill that are having trouble getting on and off Rt. 9 are causing the same type of environmental problems that any traffic light can cause. Further, as has been said, Southborough is divided into a northern and a southern section. The people in the southern section are cut off by Rt. 9 to certain medical, public safety and fire facilities that are concentrated on the norther side. To further isolate them, I suggest is a disservice to those residents who have been paying taxes and supporting these institutions which are supposed to be at their service. The increase of traffic on Rt. 85 is going to slow down any emergency vehicle if the vehicle qualifies as one which can cross over Rt. 85 to service these people. Further, the temporary cut off with access to emergency vehicles I suggest is not going to help the people on the southern portion in cases where they have to themselves travel to the medical facilities or to the police station or to the fire station. Again, it's a temporary shutoff but I believe many of you might recall that it was put into effect a number of years ago,

some six to nine months ago I believe and obviously that wasn't the answer to the problem and that was at a time when traffic on Rt. 9 was substantially less. The problem was solved by a temporary shut-off at that access road and I suggest it was because of the increased problems that occurred in other areas of Rt. 9 and the Town of Southborough. I think the only viable solution that will insure the protection of the people on both sides of Southborough and to insure that they all have adequate access to the public safety and medical facilities are the proposals that were mentioned in the line of traffic lights, access roads, and slowing down the speed limit. I suggest the committee look further into, with the Department of public Works, the possibility with the present traffic count, the present conditions, whether or not they could qualify. I am sure they could qualify at a lesser expense than revamping the Rt. 85 interchange and see if that is not a more real possibility than was suggested in 1980.

Ed McCarthy, 181 Cordaville Road.: I live exactly five-tenths of a mile from Rt. 9 south. I don't have any questions to ask. I just want to emphasize if I may, what I hope will be, a substantial consideration before any deliberations are exhausted and any conclusions have been reached. Quite candidly for the moment my priorities are neither aesthetics, commercial nor even social. It is all fundamental. If you sat at your home and included the next two homes, there are eight children, seven of whom are pre-school. You mentioned statistics - 26,000 vehicles at the last count a day. You close off a street, you proportionately increase the traffic, and you proportionately increase that inherent factor that are Indianapolis trainees. We already have a substantial number of them. I would hope that you consider, before any judgment has been made, those people who may well be the most affected and just a tad too small to come here tonight.

Tony Atenasio, 186 Parkerville Rd.: I wanted to express my main concern and not to establish more problems and create more problems by stopping one problem. I think the record shows that those intersections are a problem. I use the intersection of Middle Road every day. I think the point has been made that we'll turn Rt. 9 into a high speed traffic lane with nothing in between the lights at Western Electric to the lights at Central Street. I think that is 100% right. Right now, and I fear, and I have tried taking a right from Rt. 9 onto Rt. 85 to go south, and that was much worse than crossing the left hand turn onto Middle Road. I had cars coming up behind me much faster and coming much closer to me. I decided not to try it when there was snow on the ground because I considered that a suicidal siwh and I didn't want to do it. I feel that if we create that bullet going through there, I would have a hard time taking a right, even if the intersection is closed coming off Middle and I don't even now attempt to take a right off Parkerville - the road I live on - because I think that's ridiculous, especially in the winter coming down Rt. 9. So I think we have to attack the the whole problem and I think that you have hit upon bringing the speed limit down. It's 45 m.p.h. the minute you get into Framingham, I know that. They have a speed trap there to make you know it in case you don't watch it. And they catch everybody every once in a while. It's 45 in Framingham. It could be 45 in Southborough. I think if the State controls that they really have no right to say that the town line makes a difference in human life from one side of the town line to another and I think that two other alternatives possibly if I hear here that there are a lot of trucks making u-turns and that is

going to cause a problem. Why can't those intersections be "No U-turn". I know it isn't posted that way now. The U-turn is the most dangerous and I don't know if the Registry statistics show that, if the U-turn is one of the dangerous things at that intersection, we should post it "No U-turn" and enforce it "No U-turn", as well as the enforcing of the speed limit and the lowering of the speed limit. I would like to finish with a question. In reality, what are the chances if something was closed and/or lights are put in there, if they would ever do anything with the Rt. 85 interchange and with putting on acceleration lanes off Middle and off White Bagley and Break Neck Hill. What are the real chances of something like that coming out of the State without waiting ten or fifteen years. I have seen things like this take a long time to get things done.

Ch. Bartolini: There is a possibility that the State claims the meetings the Board had with the DPW, there is no funding for a cloverleaf, although it was posted as far back as ten or twelve years ago to redo that. They have no funding due to this restraining of finances. The signalization of the two intersections is a probability due to the fact that it was made available after six months of inquiry to the committee by the report from the First National Bank made us aware of a certain law that signalization is possible and the Board has taken steps to see if it is possible.

Philip Mauch, Framingham Rd.: These two intersections, because I have lived in town as long as I have, do not involve me. I am not going to speak in favor of closing or not closing. I just want to throw out some ideas. On Framingham Rd., I have been there 26 or 27 years. When I built on Framingham Rd. I originally has a porch in the front of the house, believe it or not. Marlborough for the last few years has built like crazy. Westborough is going to go through the same thing. Framingham has gone through the same thing. Framingham Rd. is built like there is no tomorrow. It is another Turnpike - Rt. 9. There was a time when I could leave my house at 6:45 a.m. or 7:00 a.m. and within a one or two minute wait, leave my driveway. If I leave after 7:10 a.m. I can't leave my driveway. I can wait for the Marlborough traffic backup to Willow Brook Farm. ..At one time, for a short time, for three or four months, we had a police officer there keeping the traffic going along. It has got to the point now that between that stop sign and traffic cutting down White Bagley, you sit there and you wait. Many a morning it takes me longer at 7:15 p.m. to get from my house to the Mass. Turnpike than it does to get from the Mass. Turnpike to the interchange at 128. What I am trying to bring out is this: We apparently have got to suffer some heavy traffic in the next few years, heavier traffic than any of us realize. We can see it coming all around us. Rt. 9 has gotten steadily worse and more traffic. I think may, and I hope maybe, the Board of Selectmen in this town, along with Representatives, politicians, or whatever you want to call them, bring some more pressure on the State. This idea of two and a half and we haven't got money for this and we haven't got money for that. Framingham got it. Now, it is so much fun to leave here and go down to Shoppers World and try to get to Shoppers World. Here they get on the Mass. Pike and get in the back way. That's what they did for Framingham. And they built this wonderful beetleback down there and they blew this million dollar thing down here by the .... stop sign. All they did was tip

the stop sign over and now your supposed to yield on Rt. 9 to get through that one stop sign. There is no stop sign. But you try when the light is green in Fayville, you try to get on Rt. 9. Fortunately, this town is coming to the point where they realize that something has got to be done. Let's bring some more pressure on the State and let's stop taking no for an answer. If they have now put a weight limit on Rt. 85 - first of all, I would like to add, has there ever been a weight limit there before? Has it been increased, decreased or what? And if that weight limit is only 11 tons, Rosenfeld, AA Trucking, you name them, they will never come into this Town again. Let's cut out the bologna. They may have posted it 11 tons. Let's wait until the first truck gets bagged on that bridge and let's take it to court.

James Lawless: Not to put Mr. Boland on the line or anything, but I have to ask Mr. Boland for his thoughts on the closing of these two crossovers.

John Boland, Highway Supt.: As a member of the committee, I voted with the committee in that report.

Roger Capone (Committee member): Not to close. There's another point. It may be minor, but I don't think the agencies of government talk to each other. For instance, we have a national 55 m.p.h. speed limit and I defy anybody to ride up and down Rt. 9 to see how fast those people pass you and you are doing 55. Another thing is, we are trying to promote alternate transportation. It is pretty darn convenient to walk down to White Bagley Road and get on a bus. It is not the best service in the world but it is adequate. You can get on that bus and if you take the express bus, it will take you - it used to be Park Square - to South Station in a little more than an hour for about \$2.85. And that beats a lot of hassles. You close that interchange, and if you think, if they close that interchange, I am going to get off and walk across Rt. 9 and climb the fence to get over to the other side? No way! No way at all. It seems to me that if you block up that interchange, it is going to be as people have said - a raceway - and the next thing they will do is put a six foot chainlink fence so you couldn't cross it if you wanted to do as they have done in Framingham and other places. You cannot get across the street. We are doing all this for automobiles and the heck with the pedestrians, the bicyclists, anything else. One arm of the State is saying, let's conserve fuel, let's go slower speeds, let's do this, and the other arm of the State is saying let's close all the crossings, let's make it easier for the automobiles to go down Rt. 9. I don't think that's right. I think somebody ought to get on the State and tell them what's for.

Lorraine Keller: I have lived on Rt. 9 for twenty years near the Fayville lights on the westerly side. I would like to say that the lights do slow the traffic down. When the cars come through the Fayville lights heading west they go past my house and they are really stepping on the gas, they know there is no light until you get to Data General. On the other side, at the exact same time, the slow. They know there is a light there. Lights do help.

M. Blood: I just wanted to say to Roger, they can always put that little thing that you can walk through.

Betty Soderholm (committee member): I go down and take the bus at

White's Corner at least two to three times a week. I work in Worcester, or I go to the Boston office. I catch the bus there. I do use the public transportation out on Rt. 9. I am legally blind and I will not cross that road without somebody coming down to get me because when you look to the west getting off the bus from Worcester, you can't tell which lane the cars are in and they are going at least 55 going east. In the westbound lane, it is a little easier because of the lights at Fayville. There is, as you say, a hole in the traffic. But you are really taking your life in your own hands to cross that road at the peak hours, in the morning or the evening. The lights to me would be the solution down there to slow the traffic down in that whole area because I agree with Roger, it is an open section there where they go above the 55 m.p.h. limit. Traffic lights at that corner would make people slow down and not get up that speed again and it is a stop for our bus. We do have public transportation out of this town to Worcester, to Boston, to Logan and I don't think we should lose that stop. If you close that corner, they are going to end up putting the fencing up, the same as they have down at Rt. 30 where Friendly's is and people cannot - they have a difficult time catching the bus there because they have to go under the viaduct and then come up and often times miss the bus. We have transportation. We should be encouraging people to use public transportation by this town. A lot of kids from St. Mark's and Fay School, a lot of young people do take the bus out of town. I think it would be a shame to close that corner and then cut down of the number of people who have access to public transportation.

Larry Kimball, 5 Bigelow Rd.: The State spoke in terms of four fatalities between the years 1973 and 1979. I believe that understates the number of fatalities which have incurred down there. When I was on the Planning Board, it seemed to me that more than four fatalities have occurred. What has been determined - whether those four fatalities is the result from accidents of cars trying to crossover Rt. 9, or were they fatalities that occurred from high speed traffic going east or west and not trying to cross over Rt. 9? In other words were the fatalities and series injuries related to crossover attempts or were they related to accidents from the result of people trying to crossover.

A. Hill: That wasn't completely discernible from the information we had given to us. I am sure if someone had read the original accident reports, etc. they could probably be determined. But we didn't go into that much detail.

Gordon Stipe (committee member): That is a question that we need more information on. We haven't been able to get it. The total number of accidents, fatalities and injuries - some of us know from words we have seen in newspapers - some of these were not related to the intersection. They were at the intersection, passing a sideswipe. Several of these - one recent one which was a pretty good accident, no fatalities, had been right-turn accidents, people turning onto Rt. 9 making a right turn or the kind I find most frightening, is trying to turn off Rt. 9 as there is no deceleration lane to turn off Rt. 9, you get hit from behind - there have been many of that kind of accident and closing the intersection won't do anything for them. It will probably increase them because it will increase the speed on the road if they know the

intersection is closed. It will transfer some accidents to Rt. 85 because people will have to use Rt. 85 to make U-turns instead of a left turn or to crossover and Rt. 85 - the bridge is so narrow where Rt. 9 goes under the bridge it is so narrow, that there is no deceleration lane under the bridge and loop around. You can signal there - I have signalled there to go to the Transfer Station from White Bagley and I have had cars come a foot or less near me and blowing their horn at me because I had the audacity to signal for a right turn and slow down. Closing the intersection would make that worse. This is the thing the Committee considered at considerable length because problems that we recognize exist and we don't know the solution, we recognize that any change - perhaps not a light that would slow them down - any change such as closing the intersection, will cause other changes to occur at other intersections. And you don't know what the other changes would be, you can only guess.

Kevin Moran: If anyone has taken Rt. 9, as soon as you get out of Southborough, you get into Westborough and then into Shrewsbury, how many lights you hit. And a lot of those intersections there are not many cross cars, but they certainly have traffic lights. Now, the State is trying to tell us that we don't have enough traffic to warrant lights. Something has changed in the interim here and I really think the Selectmen should pressure the State to get a traffic light in.

Ch. Bartolini: What we have done so far is contact our State Representatives to pursue that for the simple reason they have like Mr. Moran stated, you go up to Shrewsbury you got them every three hundred feet and they certainly don't come under the Federal standard. But there is a Warrant Number Five, Alex read it off, they can put signalization in Southborough. There is no reason why they can't. So Representative Navin is going to get back to us tomorrow and pursue this, even if it means sitting down with Governor King as what we did for Data General.

D. Phaneuf: They may be more receptive to a toll booth!

(gentleman): I would like to add my weight to those who would opt for a traffic light there. Are you asking for two sets of lights for both intersections, or are you talking about one intersection?

Ch. Bartolini: At this time we are pursuing two.

(gentleman): ..Middle Rd. intersection you can see better than at White Bagley, It is much easier to cross at Middle Rd. If money will be a problem then the State will say if you want two sets it will be too much, we will not get it for ten years. If we ask for one the chances are we could get it sooner.

Roger Capone: Lou, would it be possible for the townspeople to help the Board of Selectmen put pressure on the Commonwealth of Mass., for instance like a petition drive? It seems to me that people in politics like to hear grassroots, like to hear the people speak, and it would seem to me that maybe this would be a good vehicle for us to do to help the Board of Selectmen and the rest of the Town by coming out with a few thousand names on the petition to give to our General Court and see what type of pressure we can put on.

Ch. Bartolini: That is an excellent suggestion. Or also we could pick up the 'phone tomorrow and call Representative Navin and Senator Dan Foley, the Majority Leader, who represent us, if this is what you want to pursue. Any more questions?

Donna Blood, Clifford Rd.: I work in Natick. Where I work, they travel that road too. They would like to see lights put up there. They can't say anything about the crossover because they don't know the town that well. the lights would slow the traffic down, put a break in the traffic and leave a space for other people to cross over. What about the possibility of reconstructing the bridge at Rt. 85 if the bridge is so unsafe? You probably will have problems with the M.D.C....Reconstructing the bridge would make it safe for the fire trucks and our emergency vehicles too to cross over that. ...We have to get the plows over there and the sanders, etc...

Ch. Bartolini: At this time, we are getting one new bridge in Southborough, that is on Rt. 85 in the northerly part of town... pass St. Mark's, the railroad bridge. That is going to be replaced. They are surveying it and I understand it is being designed and the reconstruciton within a two-year period. We are getting one bridge. The thoughts of getting a new cloverleaf at Rt. 85, the statement that Tom and I and the Chief of Police got when we went up to see Henry Holmes 0 they give you the old story, we haven't got the money. But they do have money. What they did in the easterly part of the town on the Frlmingham/Southboro line - the arrangement is terrible there - they are going to rip it all up and make another one for the First National Bank of Boston. So, on on hand this District says, we haven't got the money and the dividing line between the two districts is Firmin Ave. between Framingham and Southborough. I agree, if enough influence is put in to the Commonwealth of Mass. through our representatives and the Dept. of Public Works, we should get some sort of a resolve.

P. Phaneuf: According to the Committee's statistics, not counting the last two years, I roughly calculated that there is a person being killed at White's Corner crossing every two years on the average. And there are four people a year being injured at that crossover. How long are these alternates, or the lights or petitions or other solutions to this problem going to take? Anybody got any ideas? Because the statistics show in the last seven years, more people have been killed, 26 have been injured. Statistics usually continue unless something changes. You have just illustrated the increase in traffic. My experience has been most of the people have been getting hit there making U-turns or changing directions or making the crossing. Very few that I have personally been to are through traffic incidents.

D. Blood: ...people say to me at work 'just the other day I almost got into an accident there' I can't tell you how many people come up to me and say how close they had come to accidents there, but they don't speak out and say anything.

P. Phaneuf: I didn't get an answer to my question

Ch. Bartolini: I don't have that answer for you.

Betty Soderholm(committee member): The light at Data General took

quite a long time. Remember when Dukakis was in and Data General paid for that light - at Crystal Pond - and it took an awful long time. I would like to say I am delighted tonight to see the public come out in response to the calling to tonight's meeting. This is what will finally get something done out there on Rt. 9. Regardless of what we do, it is showing an interest in what is the problem out there and you are getting some input here from the whole town and I think finally something will be done. It takes a public outcry like this to finally get some action via petitions or whatever so if we can get some more support through the town I think you will find something done if you report there is a large outcry in Southborough. Something will be done. But when people are apathetic and they don't speak up, naturally they aren't going to do anything unless the public takes an interest. It is good to see everybody interested tonight.

(gentleman): It took five years to get the lights at Data General.

Ch. Bartolini: Well, the light at Data General - we have changed governors - it isn't the same governor you have got now. Data General did pay for the light \$35,000 and the town gave it back to them.

Lorraine Keller: I would like to suggest that the Board of Selectmen take that petition that we have and forward it to the State.

Ch. Bartolini: We already planned to do that.

Elma Stipe, Partridge Hill Rd.: I am just wondering when they close the bridge on Rt. 85 to make the renovations, isn't that going to increase the traffic on White Bagley?

Ch. Bartolini: Right now, the statistics give you the trips in and out of White Bagley Rd., about 268 a day which would automatically be transferred to the lights in Fayville. They would have to make a deceleration lane by light flickering long as the left-hand turn and holding up the main thoroughfare. As the committee stated, you would be just pushing the problem further down the road.

E. Stipe: If they close the 85 bridge, I don't mean the bridge over Rt. 9, I mean the bridge from Framingham Rd. that they are going to be working on - the railroad bridge, they are going to be thrown over either to .. or White Bagley and my best is White Bagley.

Ch. Bartolini: Normally, they leave one lane open. But I imagine I can see a lot of people bypassing that because they don't go through that one lane.

Selectman Cipriano: Peter, in trying to respond to what you are asking. If it was with the confines of our power to make the decision, I think the decision would be made very quickly relative to a traffic light if that was the option that we selected. Speaking very frankly to you, what now has to happen, I think you probably realize this, is that we would probably have to go through the governmental structure in the State House and General Court and basically, if you don't like the word, still this is what we are going to have to do, is politic for it on a very high pressure level. At least as high pressure as we can possibly be in a town of 6,400. But it is an election year, and I would like to believe,

quite frankly and honestly, that those individuals will respond to a public safety need for the Town of Southborough through the response of our citizens as brought forth in a public hearing through its Executive Body. And I would hope that they will defer to the people's concerns and also to their understanding of the Town conditions. And if those things happen, then we probably stand a fairly good chance of succeeding but it will be no easy task. It will take, I am sure, a lot of time and a lot of politicking to get that result. I am not afraid to use that word but it basically is what we are dealing with as much as we can formalize all the governmental actions that are necessary through the General Court and through the governor's office. It is going to take plain, clear, clean pressure to show that we have a public safety problem in a small town that the Commonwealth must address.

K. Moran: You mentioned two lights. I think it might be quicker if we went for one light at the beginning because one light will slow the traffic down and you are also going to create another gap in the traffic so that the Middle Rd. intersection, in my understanding, would become safer just naturally. And especially, it is election year, the money is tight, they say they don't have it, I would like to see the Selectmen go for one light and now two, if that is possible. It may speed up the operation.

Charles Gaffney, Middle Rd.: For the present time, before all of this or something to happen, the point was made earlier tonight, about putting No U-turn signs at either one or both intersections, can the Town of Southborough do that now and at least get that done to help alleviate the situation somewhat now?

Ch. Bartolini: We can petition Mr. Holmes, Director of Public Works, in our sector to do that for us.

Sel. Cipriano: There are a number of avenues that I have checked off. One concern proposed is the law enforcement along Rt. 9. I think that it is well taken that Southborough could do something but given our size and given our concurrent jurisdiction with the State Police, one of the first things that I would propose later to the Board of Selectmen is somehow inform the State Police and the Department of Public Safety officers of our concern of the high-speed travel on Rt. 9 in violation of State Law Chapter 90, and to request increased patrols cooperating with our own police showing them that we are willing to do something but we just don't have that kind of a department to start running cruisers consistently down Rt. 9 as to what is required. but the State Police do and they are very good at Chapter 90 violations and interception, so I think we have to petition them to increase enforcement along that stretch of Rt. 9.

Alex Hill: I am not opposed to blocking off the intersections for U-turns. I only pose one question. Where are those trucks going to go? If you try Rt. 85 and let's assume that it is a light-loaded truck. If you come travelling around there at a normal legal speed to take the interchange, you have an excellent chance of meeting that truck head on right now. And if we put more truck traffic up on Rt. 85, light truck traffic, you are going to increase that possibility. The problems along Rt. 9 are numerous and regrettably there are no easy one-step solutions to any of them. I am not saying that the No U-turn signs shouldn't be put there, I am just asking you to ask yourself - and I don't have an answer - is where are they going

to go? Are they going to Middle Road or to White Bagley, up on Rt. 85, up to Crystal Pond or as I believe Mr. Cookman stated, all the way down to the beetleback at Natick. Maybe that is where they need to go. I am not saying that they shouldn't. but it is a problem. You are simply moving the problem from one point to another.

Mr. Gaffney: How long are we going to have to wait? We have to do something now. We have to eliminate some of these problems now. ...Framingham/Southborough line and I am talking about the same trucks that I have been trying to cross Rt. 9 - trailer trucks - let them go down to the Southborough/Framingham line or let that trailer truck go up to the set of lights at Data General to make their turn.

Alex Hill: There are numerous trucks, although it is not real bad yet, that are using Middle Rd. - heavy trucks.

Ch. Bartolini: Any more questions? If there are no more questions to the Rt. 9 Study Committee, I will conclude the meeting at this time and thank you personally for the Board and myself for coming here and giving us this input. I am sure the Traffic Committee will digest what you have said and take whatever action we possibly can as quickly as possible. I want to thank Alex, Vice Chairman of the and all the members for the work they have done in the last year.

10:00 p.m. This portion of the meeting concluded at this time.

MOTION by Selectman Cipriano: I make a Motion to accept the Report solely for the purpose of incorporating it into the Minutes. (2nd by Sel. McAuliffe) MOTION PASSED.

Re: Restrictions on weight on bridges.

Sel. Cipriano: May I ask that Mr. Grossman somehow conduct a very informal investigation to determine who, why, how, when - relative to that sign on Rt. 85. It is only supplementary information but I would like to know as much information as you can determine why it was done, who did it, on what basis, the whole thing.

Ch. Bartolini: The State had to post all the bridges in the State. It is a State Statute. It is standard procedure.

David Bresnahan, reporter for The Middlesex News: I did quite a bit of investigating the other day with the DPW and ran against a lot of roadblocks, but I talked to enough people and the Public Relations Office is the normal procedure for the news media to get answers. So I had to pursue other ways because it was not possible to get answers. Finally I did find out that it was on August 26, 1981 that the State requested the DPW to go over it and make their evaluation of the bridge. I spoke to one of the gentlemen who was involved in that evaluation. He described, in a general way, how to determine an engineering type of analysis. On Sept. 4 is when the work was completed and a decision was made regarding the lowering of the amounts there. Previous to that, the bridge was rated at what is called the Statutory Limit which left it wide open. No sign just means automatic and the bridge had never ever in any history or records been previously rated. This is the one and only time and it was, according to the way they say, pretty much drawn out of a hat, they are going around hitting a bridge here, a

bridge there, kind of thing. They said that they were not the person who was involved in the rating of the bridge and was not aware of anything going on in the town regarding the problems.

Ch. Bartolini: One hand doesn't know what the other hand is doing.

Sel. Cipriano: If that is true, it is poor management.

Ch. Bartolini: I appreciate your telling us.

Mr. Bresnahan: It is just that hearing what you said, I figured you ought to know this information.

Sel. Cipriano: It seems more than a coincidence that it would happen a few months after we put the committee in place.

Man: You can call the Bridge Division. You can call Bob Costello and you can get a copy of that report.

Sel. Cipriano: Mr. Grossman can take care of that. Thank you.

David Bresnahan: I spoke to Charles Lennon, District #3, Frank Bartten, Joe Kuzava, Larry Perkins (Maintenance Division), Mr. Krekorian (Traffic Div.).

Ch. Bartolini: We have accepted the Committee's report. The Committee is still going to be in force as an advisory group to the Board of Selectmen and try to initiate some of the steps that have been brought out here tonight. It is difficult to summarize tonight after discussion with about 60 people. What I would like to do, and what the Board would like to do, is digest what has happened here tonight through the transcript, plus take the steps we said we were going to do to initiate for signalization. Also we are going to contact the Uniform Branch of the State Police to see if we can get heavy patrols down there. We are already talking to Mass. Electric for lighting in those areas for high intensity lights rather than the regular mercury vapor. And perhaps we could discuss with our Chief, he will be home this weekend, in co-operation and coordination - perhaps - maybe we can scrape up enough to make some traffic traps down there just for the 55 m.p.h. limit.

David Bresnahan: That's for the time being, but you are also pursuing at the State level having these lights put in?

Ch. Bartolini: Right. That is going to be our upmost foot forward and hopefully everyone here will call up their Representatives also. David Bresnahan: Does that also mean you are going to be in contact with both Navin and Foley?

Ch. Bartolini: Yes.

Sel Cipriano: That petition suggests that they would prefer not to have it closed? We can't solicit, but we would welcome a petition that would support the lighting the traffic lights, a comparable petition on the positive instead of the negative.

David Bresnahan: Has either Navin or Foley expressec an opinion as to being able to get something done - either a positive or negative on the issue?

Ch. Bartolini: They were going to pursue it. I spoke to Representative Navin just before the meeting. He indicated that he would get right on it and get back to me tomorrow. I don't think he can do anything that fast. But hopefully he might. He is pretty close to the Governor and the Speaker of the House.

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MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, May 4, 1982

7:45 pm Meeting convened in the Hearing Room. Present were: Chairman Louis J. Bartolini, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, Town Counsel Frederick A. Busconi, members of the press and interested citizens. (Selectman McAuliffe was not present.)

Treasury Warrants signed by the Board:

Regular Warrants:

#178	\$ 92,992.74
#179	\$ 738,000.00
#180	\$ 13,663.40
#181	\$ 773,000.00
#182	\$ 11,339.16

Revenue Sharing:

# 36	66.00
Total	\$1,629,061.30

PERMITS GRANTED:

(1) Two 30 day Temporary Trailer Permits were granted to Red Roof Inn Southborough - an office trailer and a storage trailer - placed at their construction site: 367 Turnpike Road (near I-495).

(2) Permission granted to Pilgrim Church to place a Temporary Sign at the intersection of Rt. 85 and Common Street announcing its annual chicken barbecue to be held on June 5.

LICENSES APPROVED:

(1) Special License to sell wine and beer granted to Profile Automobile League, c/o James McCaw 19 Middle Road, Southborough for an antique car meet at Fay School Campus on Friday, June 18, from 6 pm to 12 midnight and on Saturday, June 19, from 6 pm to midnight.

(2) Special License to sell wine and beer granted to Southborough Republican Town Committee c/o Charles Wood, 144 Marlborough Road, Southborough, for a picnic at Davco Farm, Break Neck Hill Road, on Saturday, May 15, from 3 pm to 5 pm.

NO APPOINTMENTS WERE SCHEDULED FOR THIS MEETING

CORRESPONDENCE:

4/19/82 letter from Dr. Alan R. Bohne of Carolyn Terrace complaining of litter problems in Southborough, especially the area of Rt. 85 from Richards Road to the Marlborough line.

ACTION: Selectman Cipriano asked that a copy of this letter be sent to Highway Superintendent John Boland asking for a progress report on this litter complaint.

4/28/82 letter from Railroad Weed Control, Inc., Westfield, MA regarding its plan to spray the Conrail tracks through Southborough on approximately May 20, 1982. Spraying on the main line will be made approximately June 15, 1982. Plan is to destroy weeds and grass 10 feet on either side of the railroad tracks. ACTION: Abutters are to be notified and a copy of this letter sent to them as well as to the Southborough Board of Health.

5/1/82 letter from Jean Melcher, 9 Blackthorn Drive, listing complaints about mosquitoes, drains, catch basins, condition of Blackthorn Drive, and a dog problem. ACTION: Letters are to be sent to: (1) Central Mass. <sup>Mosquito</sup> Control Project asking them to contact Mrs. Melcher. cc: Southborough Board of Health. (2) Highway Superintendent to have drains and catch basin cleaned out.

(3) Highway Superintendent asking that Blackthorn drive be cleaned as part of their scheduled road maintenance program. (4) Dog Officer to be contacted asking him to investigate the problem stated in Mrs. Melcher's letter. Letter to go to Mrs. Melcher listing the actions to be taken.

NEW ENGLAND PIPELINE letters: (1) 4/27/82 from Attorney General's Office stating that his office will not intervene in the Federal Energy Regulatory Commission (FERC) proceeding at this time. If FERC rules adversely to the State's position, as it is being presented by the Siting Council, litigation might be appropriate and would be pursued by the Department of the Attorney General. (2) April 26 Pipeline Project Status from the Pipeline Coalition reminding officials of the deadline for receiving comments - May 5, 1982.

AQUEDUCT TRANSFER HYDRO POWER PROJECT by MDC. Certificate of the Secretary of Environmental Affairs on Environmental Notification Form (ENF) stating that this project does not require an Environmental Impact Report, but that care should be taken with blasting so as not to damage the integrity of the Southborough Dam (off Boston Road - Rt. 30).

Beverly Rogers of 41 Oregon Road presented to the Selectmen a copy of a letter addressed to the Planning Board, dated 5/3/82, signed by eleven of the adjacent property owners of the proposed Towne Lyne Village Subdivision expressing their dissatisfaction with said proposal or any proposal which would alter the drainage or discharge onto their properties.

8:20 pm VOTED: to adjourn the meeting.

  
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Marjorie R. Putnam, Secretary

MINUTES OF MEETING

BOARD OF SELECTMEN

Tuesday, May 11, 1982

7:30 p.m. Present: Acting Chairman Thomas W. McAuliffe, Sel. Denson L. Satterfield, Jr., and Administrative Ass't Jeffrey A. Grossman. Sel. Aldo A. Cipriano was not in attendance. Also present, members of the press and interested citizens. A. Jean McCaw took the minutes.

TREASURY WARRANTS signed by the Board:

TW #183	\$ 22,627.78
TW #184	2,032,000.00
TW #185	25,810.15
TW #186	35,785.49
TW # 37	28,000.00 REVENUE SHARING
TW # 38	4,625.09 "

ZONING PERMIT

Unanimous vote: Board granted Zoning Permit to Phil Short, for a Single Family Dwelling at 6 Wyndemere Dr., Lot 63-2.

PERMITS GRANTED

Unanimous vote: Board granted two Automatic Amusement Device Licenses to Fitzgerald's General Store. (see 8:00 appointment)  
110 Southville Rd.

Unanimous vote: Board granted two 30-day temporary trailer permits for Shrubs and Trees, Inc., 126 Turnpike Rd., Ronald J. Garcia, Pres.

LICENSES APPROVED

Unanimous vote: Board granted Special 1-day License to F.D. Newton Handtub Assoc., c/o David K. Falconi, Secretary for an "Oldies Night" at Fayville Village Hall, on Saturday, June 12, 1982 from 7:30 p.m. to midnight.

Unanimous vote: Board granted Special 1-day License to Ed Sanderson d/b/a The Deli, Inc., for a wedding reception at St. Anne's Hall on Saturday, May 15, 1982 from the hours of 12 noon to 4:00 p.m.

NEW BUSINESS

The Board of Selectmen VOTED: to change life insurance policy benefits for all Town employees from \$2,000 to \$10,000 under M.G.L. Chapter 32B, Section 5.

The Board VOTED that its summer schedule will be as follows:

<u>June</u> 1	<u>July</u> 6	<u>August</u> 3	<u>September</u> 7
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and will resume their weekly Tuesday evening meetings on September 7.

8:00 p.m. Board viewed two (2) Automatic Amusement Device Licenses to for Joseph Prior, owner of Fitzgerald's General Store and was satisfied that the area had been <sup>110 Southville Road</sup> inspected by the Building Inspector, Edgar A. Phaneuf and approved.

Sel. Satterfield stated he also had an occasion to go in the store and made an inspection and was satisfied all was in order.

Sel. Satterfield made a motion that the Board approve two (2) additional Automatic Amusement Device Licenses for Fitzgerald's General Store and the Board VOTED unanimously.

8:15 p.m. to The Board VOTED to recess for 15 minutes until the next appointment.

8:30 p.m.

8:30 p.m. to Meeting reconvened re proposed spraying by Conrail on May 20, 1982. Mr. Robert Gordon of 156 Marlboro Road presented a letter to Acting Chairman Thomas W. McAuliffe. Names of eleven (11) other residents were on the letter. Mr. Gordon stated their concerns for gardens and the possibility of the spray being carried by the wind. He also said it could seep into the ground and effect the ground water and wells as well as kill plants on the surface. Children who travel over the tracks to friends homes, because it is safer than the roads, could come in contact with the spray. Mr. Gordon expressed concern for the watershed area as the tracks cross the reservoir and the drinking supply would be sprayed. It was not a requirement for the railroad to notify towns of the spraying until this year. He would like a Town ordinance to stop this type of spraying. Sel. Satterfield said it is probably poison if it is made to kill things. The EPA is very strict and if the EPA approved the spraying, it would probably be okay. If it drifts does it kill vegetables or is there a health hazard over the years? Admin. Ass't Grossman said he does not know what short or long term effect there is. No one really knows. He has no information of the potential health hazard. Sel. McAuliffe asked if we have a right to request Conrail not to spray. Admin. Ass't Grossman said Conrail either sprays the whole Town or not at all. They will not spot spray. He thinks Conrail would honor a request not to spray.

Acting Chairman McAuliffe suggested in light of concerns voiced, a letter be sent to Railroad Weed Control, Inc. not to spray in Town of Southborough.

Motion was made by Acting Chairman McAuliffe to issue a regulation prohibiting the spraying of any and all herbicides on or near any railroad tracks within the Town of Southborough. Motion was seconded by Sel. Satterfield and VOTED unanimously.

8:45 p.m. to The Board VOTED to recess until the next appointment which is scheduled for 9:15 p.m.

9:15 p.m.

9:15 p.m. to The Board of Selectmen met with the Housing Authority re a letter from HUD in regard to an Invitation for Applications for Section 202 Fund Reservations - FY 82.

9:38 p.m.

Present: Housing Authority members Barbara Murphy, David Taylor, Frank Aspinwall and William Harpster. In view of the fact that there are no matching funds it was decided not to submit the application. The Board of Selectmen agreed to keep them abreast of any communication it receives, and keep things open between the two groups.

CORRESPONDENCE

Board read May 5, 1982 letter from Linda Wasserman and other concerned parents, requesting a "GO SLOW CHILDREN" sign at each end of Carolyn Terrace. They have witnessed many speeding cars on that street and are extremely worried about the safety of their children. Board made a recommendation to refer the letter to Police Chief William D. Baker and Highway Supt. John W. Boland for comments, and defer decision until response is back from those departments.

Board read April 28, 1982 letter from James C. Watson, II, a student at Assabet Valley Regional Vocational School, expressing his concern over the elimination of an instructor, Mr. Harold Mohla, from the Horticulture Dept. Sel. McAuliffe recommended that we inform Assabet Valley about the letter and perhaps they could take a second look at the situation. Instructed Admin. Ass't to write a letter to Assabet Valley Regional Vocational School.

Board read May 6, 1982 letter from Senator Daniel J. Foley stating he received a letter from the Executive Office of Transportation and Construction and that the Starrett Paving Corp. of Marlboro has been awarded a \$266,525 contract for resurfacing and other related work on a section of Route 30 in Southborough. Also, the contractor has 90 calendar days to complete the work.

Respectfully Submitted,



A. Jean McCaw, Receptionist

MINUTES OF EMERGENCY  
MEETING OF  
BOARD OF SELECTMEN

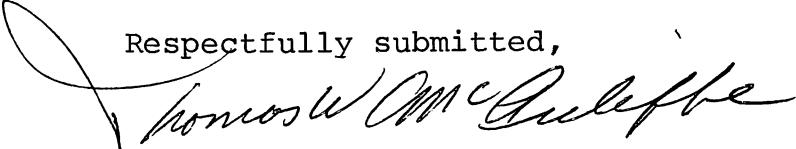
Saturday, May 15, 1982

10:15 a.m. An emergency meeting was called by Acting Chairman Thomas W. McAuliffe and held in the Southborough Police Station, 19 Main Street. Present were: Acting Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Selectman Denson L. Satterfield, Jr., and Police Chief William D. Baker.

By unanimous voice vote it was VOTED to go into Executive Session under Section 9G (1) of the Open Meeting Law "to discuss the reputation and character...of an individual."

11:05 a.m. Executive Session and Meeting adjourned. No votes were taken.

Respectfully submitted,

  
Thomas W. McAuliffe  
Acting Chairman

twm/mrp

MINUTES OF SPECIAL MEETING  
BOARD OF SELECTMEN

Monday May 17, 1982

Conference Room "A"

6:00 P.M. Meeting convened in Conference Room "A" . Present were: Acting Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano and Selectman Denson L. Satterfield Jr.

DISCUSSION - To change format for Selectmen's meeting. Everything must be submitted by 3:00 p.m. Friday unless an emergency. Any questions will be after meeting has closed.

Need to contact James Cappello about new appointments.  
Re: new blood.

Appointments - Recreation 1 appointment to be filled.  
Aldo will check with Mr. Ricci.  
Change Ad Hoc Committee to Aldo from Louie  
IDC - Bellotti - yes Michele Glen to be confirmed  
others as recorded in book  
add specials

DISCUSSION - Truck traffic on Central Street  
Old Fire Station - Fire Station generator falling  
into disrepair - could be fixed - get generator out  
of there and preserve it, it was a gift to the Town.

DPW Study Committee - Report back for Town Meeting  
Ask League for 1 member to be appointed.  
Report to Town Meeting for Warrant Article.

Meeting Adjourned at 7:20 p.m.



Thomas W. McAuliffe

Thomas W. McAuliffe, Acting Chairman

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, May 18, 1982

Hearing Room

7:30 p.m. Present: Acting Chairman Thomas W. McAuliffe, Sel. Aldo A. Cipriano, Selectman Denson L. Satterfield, Jr., Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, and members of the press.

TREASURY WARRANTS SIGNED BY BOARD:

TW #187	\$ 95,868.28
#188	104,035.27
#189	37,341.19
#190	60,594.99
#191	150.00
# 39	61.60 REVENUE SHARING
# 40	1,704.44 "

CHAIRMANSHIP: At this time Sel. Cipriano made a Motion that Thomas W. McAuliffe be appointed Chairman of the Board of Selectmen for the ensuing year. Motion was seconded by Sel. Satterfield and unanimously VOTED (voice vote).

NEW FORMAT: The following was unanimously VOTED by the Board: Any business that is to come before the Board of Selectmen at its meeting on Tuesdays shall be submitted to the Selectmen's office NO LATER THAN 3:00 p.m. ON THE FRIDAY BEFORE THE SELECTMEN'S MEETING. The agenda will be delivered to the Selectmen via the Police Department. This will enable the Selectmen to review over the weekend what will be coming before them at their next meeting and enable them to have all the information necessary in order to act intelligently on those items coming before the Board. In the case of a dire emergency, this rule can be waived.

PERMITS GRANTED: (1) Road Opening Permit unanimously granted to Commonwealth Gas Co. for Walnut St. (at #6). Road was opened on April 20, 1982 for the purpose of making an emergency repair to the gas main. Selectmen would like the Town Counsel to sign these permits as to form in the future.

(2) Temporary Trailer Permit was granted for 30 days to Vahan Sarkisian, Pres. of Borough Corp. for an office trailer at Ledge Hill Road.

LICENSES APPROVED:

Special Permit (1-day) unanimously granted to Richard Louis Mattioli for Purcell Fund Benefit Committee for a benefit dance at St. Anne's Hall, Boston Road, Saturday, June 12, 1982 from 7:30 p.m. to 1:00 a.m.

APPOINTMENTS: The Selectmen's annual appointments were unanimously VOTED on as follows:

<u>Term</u>	<u>Department/Name/Address</u>
1 yr.	<u>OFFICE MANAGER</u> - Janice Conlin, 20 Pinecone Lane
1 yr.	<u>SECRETARY TO THE BOARD OF SELECTMEN</u> - Marjorie R. Putnam
1 yr.	<u>TOWN HOUSE RECEPTIONISTS:</u> 66 Mt. Vickery Rd. Maureen F. Maguire - 9 Winchester St. A. Jean McCaw - 19 Middle Rd.
1 yr.	<u>BUILDING DEPARTMENT:</u> Building Inspector, Edgar A. Phaneuf, Jr. Gas/Plumbing Inspector, 171 Middle Rd. George A. Labarre, Jr. 36 Bigelow Road Assistant Plumbing Inspector, Ronald T. Courtmanche, 196 Southville Rd. Wiring Inspector, James A. McCaw, 19 Middle Rd. Assistant Wiring Inspector, Richard G. Trudel 16 Teresa Rd., Hopkinton, Ma.
1 yr.	<u>CIVIL DEFENSE DEPARTMENT:</u> <u>Civil Defense Director</u> , Fire Chief Edward F. Brock, 9 Latisquama Rd. <u>Deputy Directors</u> : John W. Boland, Jr. (Highway Supt.) 12 Richards Road William D. Baker (Police Chief) 242 Wood St. Woodville, Ma
	<u>Communications Staff Technicians</u> : Daniel F. Brock, 9 Latisquama Road George A. Labarre, 5 White Bagley Road Charles E. Wood, 144 Marlboro Road John D. Mauro, Jr. 35 Boston Road <u>Chief Engineering Service</u> : John W. Boland, Jr., 12 Richards Rd. <u>Chief Fire Service</u> : Edward F. Brock, 9 Latisquama Rd. <u>Chief Police Service</u> : William D. Baker, 242 Wood St. Woodville, Ma <u>Legal Officer</u> : Frederick A. Busconi, 92 Framingham Rd. <u>Medical Officer</u> : Timothy P. Stone, 42 Main St. <u>Operations Staff</u> : Frank R. Aspinwall, 6 Winchester St. Daniel F. Brock, 9 Latisquama Rd. George R. Boothby, 7 Cherry St. George A. Hubley, 103 Southville Rd. George F. Killam, 61 Richards Rd. John Mauro, 35 Boston Rd. John C. Misener, 8 Latisquama Rd. Edward D. Priest, 60 Deerfoot Rd. <u>Transportation Officer</u> : Michael G. Gulbankian, 40 Mt. Vickery Rd. <u>Assistant Transportation Officer</u> : Harvey D. Bigelow, Sr., 30 Bigelow Rd. <u>Chief Water Service</u> : William G. Binder, Jr., 18 East Main St.
1 yr	<u>COMMUNITY HAZARDOUS WASTE TASK FORCE</u> (ad hoc): Hazardous Waste Coordinator: Jeffrey A. Grossman Chief of Police, William D. Baker, 242 Wood St. Woodville Fire Chief, Edward F. Brock, 9 Latisquama Rd. Highway Supt. John W. Boland, Jr., 12 Richards Rd. Board of Health Representative: Dorothy E. Manning, 11 Breakneck Hill Rd.

<u>Term</u>	<u>Department/Name/Address</u>
3 yrs.	<u>Conservation Commission</u> Linda C. Hubley, 210 Southville Road George T. Schnare, 81 Turnpike Road
1 yr.	<u>CUSTODIANS:</u> Town House and Police Department, Lewis D. Maida, 33 Main St Fayville Village Hall, Albert J. Phillipo, 24 Learned St.
1 yr.	<u>DOG OFFICER:</u> Charles F. Hamel, 224 Boston Road
1 yr.	<u>ENERGY CONSERVATION MANAGER FOR THE TOWN OF SOUTHBOROUGH:</u> Edgar A. Phaneuf, Jr., 171 Middle Road
1 yr.	<u>CULTURAL ART COUNCIL:</u> (Dr.) Edith S. Myerson (Chairperson and Director of Educational Program) 29 Overlook Drive Jacqueline Walsh (Vice Chairperson & Secretary-Historian) 26 Lynbrook Road Lois J. Coit (Treasurer and Membership Chairperson) 3 Birchwood Drive Robert Gallivan (Maintenance) 75 Marlborough Road Ralph A. Claflin (Supervision of Building-Registrar of Students) 4 Winchester Street (Dr.) Marvin C. Ostrovsky (Rentals-Purchases of Equipment) 1 Tara Road Eva Nicholas (Program Special Events-Overall Coordinator of Programs) 16 Rockpoint Road Constance Ross (Program-Festival and Major Fundraiser) 14 Fairview P. Brent Trottier (Program-Children's Coordinator) 50 Deerfoot Road Gayle R. Davis (Publicity-Press Overall coordinator of publicity) 5 Foley Drive Patrice M. Kennedy (Publicity-Graphics) 40 Flagg Road Linda L. Crawford (Publicity-Posters) 8 Ted Lane John A. Carey (Publicity-Graphics) 43H Main Street Barbara A. Clement (Hospitality) 24 Woodbury Road Phyllis J. Bezanson (Exhibitions-Program) 20 Deerfoot Road

<u>Term</u>	<u>Department/Name/Address</u>
1 yr.	<u>FAYVILLE VILLAGE HALL COMMITTEE:</u> John Baveri, 5 Valley Road Caesar T. Ghiringhelli, 26 Central Street Clarence J. Burton, 7 Central Street
1 yr.	<u>FENCE VIEWERS:</u> Robert E. Hoss, 184 Middle Road William G. Turner, 5 Flagg Road
1 yr.	<u>FIELD DRIVERS:</u> Gail M. Hoss, 184 Middle Road Frank J. Rossi, 7 View Hill Road Frank J. Rossi, Jr., 17 Breakneck Hill Road
1 yr.	<u>DEPUTY FIRE CHIEF:</u> John W. Boland, Jr., 12 Richards Road
1 yr.	<u>FIRE WARDEN:</u> Edward F. Brock, 9 Latisquama Road
1 yr.	<u>DEPUTY FIRE WARDEN:</u> John W. Boland, Jr., 12 Richards Road
3 yrs.	<u>HISTORICAL COMMISSION:</u> Frederick J. Quinn, Jr., 8 High Street (3 year term) Katherine O. Allen, 77 Deerfoot Road (1 Year term) Hamilton Armstrong, 15 Flagg Road (2 Year term) Earle Q. Watkins, 17 Ward Road (3 year term)
5 yrs.	<u>INDUSTRIAL DEVELOPEMENT COMMISSION:</u> Russell B. Millholland, 35 Woodbury Road (5 year term) Richard J. Bellotti, 7 Ledge Hill Road (5 year term) Donald J. McCallion, 9 Pinecone Lane (4 year term)
1 yr.	<u>SUPERINTENDENT OF INSECT PEST CONTROL:</u> Howard E. Truesdale, 14 Middle Road
	<u>POLICE DEPARTMENT</u>
3 yrs.	<u>CHIEF OF POLICE:</u> William D. Baker, 242 Wood St. Woodville, Ma
1 yr.	<u>JAIL KEEPER:</u> William D. Baker, " " " "
1 yr.	<u>SERGEANTS AND CONSTABLES:</u> William J. Colleary, Jr., 91 Southville Road Richard C. Waller, 30 Clifford Road Danny R. Chernewski, 36 Fisher Road
1 yr.	<u>REGULAR OFFICERS AND CONSTABLES:</u> Charles R. O'Connell, 53 Boston Road Richard L. Mattioli, 44 E. Main Street Charles A. Keller, 87 Turnpike Road Robert J. Durran, 13 Oregon Road William H. Webber, 84 Prospect Heights, Milford, Ma Joseph F. Deignan III, 52 Beechwood Ave., Watertown, Ma.

<u>Term</u>	<u>Department/ Name/Address</u>
1 year	<u>CLERK DISPATCHER:</u> Sandra A. Brock, 9 Latisquama Road
	<u>CIVILIAN DISPATCHERS:</u> Frank W. Moore, 97 Woodland Road Nancy J. Sheppard, Hudson Road, Bolton 01740 Jane T. Moran, 70 East Main Street, Hopkinton 01748 Douglas McLellan, 24 Break Neck Hill Road
	<u>RESERVE OFFICERS:</u> Theodore Pietrasiak, 12 Cherry Street, Fayville 01745 Frank W. Moore, 97 Woodland Road, Fayville Ronald G. Mattioli, 44 East Main Street Richard L. Mattioli, 13 Summer St. Apt. 17, Westboro 01581 Donald R. Satterfield, 97D Woodland Road Paul R. Nelson, 9 Oak Hill Road, Fayville 01745 Craig A. Moran, 70 East Main Street, Hopkinton 01748 Joseph E. Bennett, 12 Leonard Drive
	<u>SPECIALS:</u> Anna M. Beliveau, Matron, 24 Central Street, Fayville 01745 Mary-Jane F. Boland, Matron, 35 East Main Street Marion R. Carloni, Matron, 12 Cross Street Nancy J. Sheppard, Hudson Street, Bolton 01740 John D. Mauro, Jr. 35 Boston Road Sandra A. Brock, 9 Latisquama Road Edgar A. Phaneuf, Jr. (Building Inspector) 171 Middle Road Edward F. Brock (Fire Chief), 9 Latisquama Road John W. Boland, Jr. (Highway Supt.) 12 Richards Road Calvin J. Mauro (Highway), 25 Park Street George R. Boothby (Highway), 7 Cherry Street, Fayville 01745 Frank J. Mattioli, 40 East Main Street Francis J. Fiorvanti, 20 Central Street, Fayville 01745 Frank R. Aspinwall, 6 Winchester Street George F. Killam, 61 Richards Road Daniel F. Brock, 9 Latisquama Road Peter F. Phaneuf, 179 Middle Road Stephen N. Foley, 78 Southville Road David J. Dockstader, 260 Parkerville Road James J. Colleary, 51 Central Street, Fayville 01745 Reverend Craig Reynolds (Chaplain), Pilgrim Congregational Church, Common Street Reverend Harry Eugene Goll (Chaplain) St. Mark's Episcopal Church, Main Street Reverend Elizabeth Lameyer (Chaplain), 33 Main Street George A. Hubley (South Union School & St. Matthews Church) 103 Southville Road Lewis D. Maida (Southborough Town House), 33 Main Street James A. McCaw (Fay School Property), 19 Middle Road Albert J. Phillip (Fayville Village Hall), 24 Learned St.
1 year	<u>POUND KEEPER:</u> Joseph Mauro, 37 Boston Road
1 year	<u>DEPUTY POUND KEEPERS:</u> Charles Fantony, Jr., 69 Turnpike Road Fayville 01745 Charles F. Hamel, 224 Road

<u>Term</u>	<u>Department/Name/Address</u>
1 Year	<u>PUBLIC WEIGHERS AND WEIGHERS OF COAL:</u> Albert L. MacDonald, Jr.) % Almac Moving Russell Jacobsen ) & Storage Inc., Ed Potter ) 35 Turnpike Road Dennis MacDonald ) Fayville, 01745 James Mayer ) Richard Parrow ) Gene Myers ) Tina Chaves ) William Finney ) Sandra Oliver )
3 years	<u>RECREATION COMMISSION:</u> Donald P. Woods, 85 Oak Hill Road
1 year	<u>SEALER OF WEIGHTS AND MEASURES:</u> Edgar A. Phaneuf, Jr. 171 Middle Road
3 years	<u>SOUTHBOROUGH COUNCIL ON AGING:</u> Eleanora F. Burke, 36 East Main Street Catherine E. Gralton, 41 East Main Street
1 year	<u>SOUTH MIDDLESEX OPPORTUNITY--PUBLIC REPRESENTATIVE OF THE BOARD OF SELECTMEN TO THE BOARD OF DIRECTORS</u> Denson L. Satterfield, Jr., Selectman 20 Turnpike Road, Fayville 01745
3 years	<u>TOWN ACCOUNTANT:</u> Willard S. Putnam, 66 Mt. Vickery Rd.
1 year	<u>ACCOUNTING COORDINATOR:</u> Dorothy M. Phaneuf, 171 Middle Road
1 year	<u>TOWN COUNSEL:</u> Frederick A. Busconi, 92 Framingham Rd.
1 year	<u>TOWN HALL USERS WORK GROUP:</u> Paul e Brefka, 196 Cordaville Road Louis J. Bartolini, 8 View Hill Road William G. Binder, Jr. Water Supt. 18 E.Main St. John W.Boland,Jr., Highway Supt. 12 Richards Rd. Judith F. Swartwood, 80 Sears Road Edgar A. Phaneuf, Jr., 171 Middle Road
1 year	<u>VETERANS' GRAVE OFFICER:</u> Thomas J. Grady, 7 Harris Dr.
1 year	<u>VETERANS' AGENT AND DIRECTOR OF VETERANS' SERVICES:</u> Irene Burkis Tibert, 140 Woodland Rd.
1 year	<u>REPRESENTATIVE OF THE BOARD OF SELECTMEN ON THE ADVISORY BOARD OF THE ROBERT F. KENNEDY SCHOOL AT WESTBOROUGH STATE HOSPITAL:</u> Lorraine C. Keller, 87 Turnpike Rd., Fayville 01745
1 year	<u>YOUTH COMMISSION:</u> Roger W. Capone, 21 Richards Road

<u>Term</u>	<u>Department/Name/Address</u>
1 year	<u>COMMITTEE TO STUDY THE TRANSFER STATION AND RECYCLING CENTER (ad hoc):</u> Norman E. Boiani, 10 Foley Drive Brian C. Mauro, 2 Foley Drive Edwin D. McMeen, 134 Deerfoot Road Ingeborg E. Tufts, 27 Flagg Road Richard V. Upjohn, 65 Deerfoot Road Donna L. McDaniel, 24 Richards Road Harold O. Kiess, 6 Mt. Vickery Road
1 year	<u>COMMITTEE TO STUDY TURNPIKE ROAD(Rt. 9) (ad hoc):</u> Aldo A. Cipriano, 110 Main Street Howard Berg, 51 Boston Road John W. Boland, Jr., 12 Richards Road Roger W. Capone, 21 Richards Road Fred L. Douglas, 8 John Matthews Road Malcolm A. Hill II, 156 Middle Road Betty Soderholm, 3 Crestview Drive Elin A. Soderholm, 3 Crestview Drive J. Gordon Stipe, Jr., 12 Partridge Hill Road
3 yrs.	<u>SPECIAL MUNICIPAL EMPLOYEES:</u> (under Chapter 268A, Sections 1 and 17 of the Mass. General Laws) Advisory Committee Member Ralph F. DeNorscia, 24 Pinecone Lane Advisory Committee Member Robert P. Juliano 35 Atwood Street Advisory Committee Member Robert W. Spayne, 167 Parkerville Road
1 year	<u>COMMITTEE TO STUDY SIDEWALK NEEDS FOR THE TOWN OF SOUTHBOROUGH:</u> (under Art. 32 ATM '82) Kathleen M. Thiffault, 32 Central St. Fayville 01745 Charles A. Keller, Jr. 87 Turnpike Rd. Fayville 01745 James J. Colleary, 51 Central St., Fayville 01745
1 year	<u>STONY BROOK GOLF COURSE STUDY COMMITTEE:</u> (under Art. 21 ATM '82) Peter Rogers, 17 Valley Road Evaristo D. Pedraza, 25 Valley Road

Selectman Cipriano announced that there are a few remaining appointments which will be made regarding a few vacancies and hopefully will be made at the next regular Selectmen's meeting.

Chairman McAuliffe announced that regarding the newly formed committees from the Annual Town Meeting of 1982 (Committee to Study Sidewalk Needs for the Town of Southborough and the Stony Brook Golf Course Study Committee), that although tonight they have appointed a few members to each committee, more volunteers are needed. He asked if anyone was interested to please contact the Selectmen's office.

CONTRACT AWARDED:

Unanimous VOTE: Contract for two 1982 Dodge Diplomat Police Cruisers were awarded to Natick Auto Sales, Inc. of Natick MA for the following amount as stated in its 5/17/82 bid:

Net - no trades.....\$19,024.00

Net - with trades:

1979 Dodge Aspen	-400.00
1980 Ford Ltds	-1,000.00

Contract award price:	\$17,624.00
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SCHEDULED MEETINGS:

8:00 p.m. Meeting with the Committee to Examine Present and to Future Uses for the Former Fire Station. Committee 8:39 p.m. members present were; Chairman Paul Brefka, Russell Millholland (I.D.C.), William Mauro (business owner from the center), Richard P. Curran, and Gail A. Jenks (residents of the area). Others present were: Building Inspector Edgar A. Phaneuf, Jr., Town Counsel Frederick A. Busconi, Peter Phaneuf, David Scattergood (Planning Board) Patricia Brewin (ZBA alternate) and other interested citizens.

The Selectmen called this meeting to ask for the Committee's assistance in making a decision as to what action the Board should take from this point. Since the Committee's report submitted last week, the Board had discussed a number of the questions raised by the Committee. Since there are other interested potential bidders, and since there is only one bidder at present, can this be legally rejected and the project put out to bid again.

Paul Brefka: Mr. Baltas' proposal for this property is a qualified proposal. He has met all the guidelines in the Developer's Kit as to what is allowed in a Business District and what was required of a buyer. The only problem was that Mr. Baltas wanted 100 seats and then found out that the site would allow 20-25 seats maximum due to the septic system. It is a matter of economics. Mr. Baltas knows what is required of him and he still wants to pursue and buy this building knowing its limitations. Technically, the Committee feels the proposal of Mr. Baltas should be accepted. Mr. Baltas would be spending about \$200,00 on this property and it was the only legitimate bid the Committee has before them. Mr. Brefka feels that this is a problem and does not know if it would be illegal to refuse this bid. Mr. Brefka has asked the Town Counsel to give his opinion on the legality of this matter. Selectman Cipriano said he would like the Town Counsel to review the bid procedure to see whether or not there are any conditions or any possible defects in the procedure that can be addressed. Chairman McAuliffe would like the Town Counsel to review the Town Meeting mandate. Chairman McAuliffe believes that the Committee's mandate was only to make a recommendation to the Board of Selectmen and that it was not the intention that the recommendation had to be accepted by the Board of Selectmen. He believes that it is the Board's decision whether or not the recommendation was in the best interest of the Town.

Mr. Brefka stated that he also feels that the Board of Selectmen has the right to either reject or accept the bid offered. Town Counsel Frederick A. Busconi said he needs more time to study the procedures. He has to read the Town Meeting vote. Chairman McAuliffe said if the Board is allowed to have this project rebid, he would like a timetable shorter than the last one, say 40-45 days. Mr. Brefka stated that the advertising and opening bid time is about 2-3 weeks, then you have to allow the bidders at least 90 days to get their proposal together. So, it would be about four months and you may end up with just one qualified bidder again. The septic system is the main problem. It rules out much of the use for the old fire station building. The building and the grounds must be brought up to standards before anyone moves in. Selectman Cipriano stated that he went through the building with Building Inspector Edgar A. Phaneuf, Jr. and the building is falling into serious disrepair. There is a generator behind the building and this should be salvaged. The structure is still safe. Selectman Cipriano said before this project can be rebid, if we can rebid, Town Counsel should address any of the legal concerns the Board has and to take a look at the current specifications to see if they should be amended, somehow cut back on the timetable - perhaps having much shorter specs. Selectman Cipriano made a Motion to review the procedure, review the specifications as to whether or not they should be amended, and determine the exact time limit. Selectman Satterfield seconded the Motion.

**VOTE:** Unanimous. Discussion on this motion: It was the general consensus of the Board that this matter has dragged on too long and that another winter will be upon us and the building will need to be heated. Building Inspector Phaneuf said that if you go through another winter with this unheated building, the cold weather will cause severe structural problems. The Selectmen would like to sell this building before the severe winter weather arrives so that it will be the responsibility of the new owner. If this goes out to bid, it will be for the third time. Restrictions can be put in the deed. The purchaser has to put up a bond or a covenant and the covenant goes with the land. Chairman McAuliffe stated he would like a decision made as quickly as possible.

MINUTES OF THE BOARD OF SELECTMEN:

Selectmen made a Motion that each week the Board of Selectmen review a draft of the Minutes of the Selectmen's Meetings from the prior week. It was so VOTED.

Selectman Satterfield announced that he wants to stay in touch with the townspeople and listen to what they might have to say. Therefore, he plans to walk on the streets on an announced schedule. This Saturday, May 22, he plans to be in the area of Woodland Road, Woodbury Road, Carolyn Terrace and Ted Lane @ 2 p.m.

Chairman McAuliffe stated that he was very happy to vote on the three year appointment of William D. Baker as Chief of Police, that he was more than satisfied with Chief Baker's performance as Chief of Police.

CORRESPONDENCE NOTED AND ACTIONS TAKEN:

5/18/82 letter of recommendation from Highway Superintendent John W. Boland regarding a request for the installation of "Go Slow Children" signs on Carolyn Terrace. It was Mr. Boland's opinion that these signs are of "nebulous value and do not even begin to address the problem of speeding vehicles." Selectmen believe that perhaps one sign would help and that the Police might increase their patrol and increase radar checks in the area.  
ACTION: Motion was made, seconded and unanimously VOTED: to table this request for one week.

5/10/82 letter from Ernest L. Kallander asked (1) if the Highway Superintendent could dump some crushed bank gravel in a stretch of bad potholes on Valley Road; (2) status of NO HUNTING signs; and (3) status of Stony Brook Golf Course Study Committee. Action: Letter to Highway Superintendent John W. Boland asking him to repair the potholes and to send to the Selectmen a status report on the NO HUNTING signs. Letter to Ernest Kallander informing him of the Board's instructions to Highway Superintendent Boland and that several citizens have been appointed to the golf course study committee.

5/18/82 letter from Police Sgt. Danny Chernewski <sup>submitting</sup> a report on the Motor Vehicle Speeding Citations and Radar Activity from May 1-15, 1982.

Board noted that Data General Corporation withdrew its application for a variance filed with the ZBA and the Town Clerk on March 29, 1982 (re a tower on Coslin Drive).

Board noted that Helmer A. and Dorothy M. Metz, 9 John Street, withdrew their application for a variance filed with the ZBA and the Town Clerk (re the location of an accessory building).

Board noted 5/18/82 letter from James B. Denman, Southborough Representative of the Assabet Valley Regional Vocational District School Committee regarding the contemplated reduction in the number of Horticultural Department teachers for FY 83. The reduction planned is due to that this department has experienced some decline in student interest.

5/18/82 letter from Highway Superintendent John Boland re the Town Lyne Subdivision, attaching a copy of letter sent to the Planning Board, addressing his concerns discussed with the Planning Board during preliminary planning re the streets, the use of common driveways, and the amount of area designated as drainage easements.  
5/14/82 letter from Fire Chief Brock re fire protection for this subdivision.

9:18 p.m. VOTED: to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

MINUTES OF MEETING  
BOARD OF SELECTMEN  
Tuesday, May 25, 1982

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Sel. Aldo A. to Cipriano, Sel. Denson L. Satterfield, Jr., Administrative Assistant Jeffrey A. Grossman, Receptionist A. Jean McCaw and interested citizens.  
8:00 p.m.

TREASURY WARRANTS SIGNED BY THE BOARD:

TW #192 in the amount of \$ 19,995.22  
#193 in the amount of 26,374.41  
#194 in the amount of 19,420.99  
# 41 in the amount of 34,005.00

PERMITS GRANTED/DISAPPROVED:

Site Plan Permit granted to A. J. Lane for an office building at 225 Turnpike Rd. (for further details see 8:00 p.m. appointment)

Three (3) Zoning Permits signed:

Roderick M. & Maria L. MacNeill (Lot 2-82) 257 Parkerville Road (UPDATED from July 31, 1979).

Michael A. Form (Lot 57-4) 47 Valley Road.

Robert C. Blumenson (Lot 21-13) 69 Breakneck Hill Road  
(Lot 21-11) 73 Breakneck Hill Road

30-day Temporary Trailer Permits - two permits were issued to Hugh M. Dalzell for 90 Turnpike Rd./2 Woodland Rd. d/b/a Country Motors. For the record, Sel. Cipriano opposed this renewal as he also opposed the original request.

Sign VOTED: The Board voted to instruct the Highway Supt. to install one "Go Slow Children" sign on Carolyn Terrace.

Temporary Sign Permit - permission GRANTED to Muley's Food and Spirits, 1 Southville Rd. to install a temporary sign until a permanent one is installed. The former one has been demolished. The Police Dept. has the information on the accident.

CORRESPONDENCE

Letter to the Board dated May 25, 1982 from John W. Boland, Highway Superintendent in response to Mrs. Jean Melcher's, 9 Blackthorn Drive, May 1, 1982 letter was read. Highway Supt.'s response is as follows:

1. In regard to the stagnant water causing a breeding area for mosquitos; that low area is private property and beyond the control of the Town.

2. Mrs. Melcher mentioned a broken drain; Uhlman Excavating is responsible for this repair. Mr. Boland has notified them on several occasions, being assured that they would take care of the matter and thus far nothing has been done.

3. Re sand, stones, etc. on her lawn; it is the responsibility of the homeowner to take care of their own lawn.

April 27, 1982 letter from Paul e Brefka, Chairman of the Old Fire Station Re-use Committee that stated the conditions that should be written into the proposal. Mr. Baltas and his son, with their attorney, Mr. DeAngelis, were present and after all the conditions were discussed Mr. Baltas is still interested in going ahead with the purchase of the property. Sel. Cipriano recommended that the Board of Selectmen delay the decision and refer the matter to Town Counsel.

Board read May 18, 1982 letter from Senate Majority Leader Daniel J. Foley assuring his support of our opposition to a State take-over of County courthouses. Sen. Foley says if this take-over should happen, towns and cities of Worcester County will be shortchanged.

Board read May 6, 1982 letter from the Energy Facilities Siting Council thanking the Selectmen for the recent information sent in regard to the pipeline and the Council will make every effort to represent the Town's concern to the Federal Energy Regulatory Commission in Washington. There is an indication that the gas may be exported by the Canadian Pipeline Co. to the U.S. through Niagara Falls and not through Maine. The Niagara route appears to involve no pipeline construction in Massachusetts.

Board read May 7, 1982 letter from the Life Insurance Assoc. of Mass. The letter states that the Association supports S-495, filed by Senate Majority Leader Daniel J. Foley of Worcester which proposes a reasonable approach to reforming the hospital reimbursement system by attempting to equalize the amount which each health insurance pays to hospitals. The Board of Selectmen unanimously VOTED to support the Bill S-495.

Discussion regarding the forming of a DPW Committee to do a study regarding public works in the Town and report back in time for the Board of Selectmen to hold hearings and to make a recommendation at the next Annual Town Meeting. Chairman McAuliffe recommended a committee consisting of 9 to 11 persons be appointed. He suggests a member of the Board of Selectmen, Water Commissioners, Highway Department, Cemetery Commission, Advisory and 4 or 6 members from the community and that this Board, if it sees fit to adopt this particular action, attempt to make the appointments at the next meeting (June 1, 1982). Sel. Cipriano made a motion to establish a committee to discuss the possibility of the creation of the Dept.

of Public Works or anything comparable or similar thereto and that the number of members of that Board be and is hereby established to be eleven (11). Sel. Satterfield seconded the motion - Unanimous voice VOTE.

Board read May 18, 1982 letter from Recreation Dept. recommending Aristotelis L. Tzimoulis, 199 Middle Road to fill the unexpired term of Joseph J. Madison (term to expire May, 1983).

Board of Selectmen VOTED unanimously to appoint Aristotelis L. Tzimoulis to the Recreation Commission to fill unexpired term of Joseph J. Madison (1983).

Board of Selectmen unanimously VOTED to appoint Louie A. Hoisington as a member of the Stony Brook Golf Course Study Committee (created under Article 21, ATM 1982) for a one year term (to expire in May, 1983).

Discussion re the spraying of the railroad tracks by Weed Control, Inc. Sel. McAuliffe inquired if we had received a reply from our first letter. Administrative Assistant Grossman said no we haven't and we also cannot get ahold of them by phone. Chairman McAuliffe said if there is no response to the first letter, then appropriate legal action should be taken.

Board noted letter sent to John F. King, Chairman, Board of Selectmen in Framingham in regards to the heavy commercial vehicles on Central St. In conformance with Section 10A-9 (Heavy Commercial Vehicle Exclusion) of the Manual on Uniform Traffic Control Devices, the Town must provide an alternate route. The proposed route would be east on Route 9 into Framingham to the "Marlboro Cutoff", west on Firmin Ave. to Rt. 30, then west on Rt. 30. The Board of Selectmen is waiting for a written answer to this request.

8:00 p.m. Site Plan Hearing was held for A.J. Lane regarding an office building at 225 Turnpike Road. Representing Mr. Lane were his Lawyer, Charles B. Swartwood and Mr. Robertson the Engineer. Several people living on General Henry Knox Road and John Matthews Road were present.

(The following minutes were transcribed from tapes taken at the Hearing)

Sel. Cipriano: Mr. Chairman, if I may be heard, on the provisions of Chapter 268A, I am going to withdraw from any consideration in this particular matter. Very generally, the reason being I represent an individual who is in a minor legal dispute with Mr. Lane. That matter has been resolved amicably amongst all parties but I do not want to give any deliberation the color of conflict. Thus I will withdraw from any consideration.

Charles Swartwood: Mr. Chairman, for the record, my name is Charles Swartwood and I represent Andrew J. Lane, Trustee of the Westboro Trust. First, I have an affidavit notice with respect to the

reconvening of this Site Plan Hearing and secondly, I have three (3) exhibits which I would like to present. Very quickly I will tell you what they are before we proceed. I have a copy of the Board of Appeals decision granting a variance dated March 16, 1981. I have a copy of the sewage disposal system dated December 8, 1981. I have the Wetlands Protection Act permit approved by the Southborough Conservation Commission on December 30, 1981. I have a letter of approval from the Department of Environmental Quality Engineering dated April 16, 1982 and I have a permit for the purposes of grading and reconstructing a driveway issued by the Department of Public Works dated April 29, 1982. I will refer to these exhibits in my very brief presentation.

You will recall, Mr. Chairman, that we originally had a Site Plan Hearing concerning this proposed use back on January 6, 1981. At that time it was quite obvious that there were some questions relative to zoning and as a result of the questions raised by the Board of Selectmen, the owner of the property sought and obtained a variance from the Zoning Board of Appeals. The purpose of that variance was to make sure that all of the business use of this property was within the business zone area of this parcel, which comprises according to the plan 4.50 acres. In granting that variance the Board of Appeals required that in the back of the lot that there be a six foot fence, that is located here, and in addition a fence along Parkerville Road and the plan that was submitted for the variance had some sparse planting in this area. After receipt of the variance the applicant, through his agents and employees, had several meetings with various concerned citizens, both people who abutted this area and even others. Also, some town officials. And as a result of those meetings there have been some substantial revisions made to this plan, and if I may, and I'll do it very quickly. You will recall I have, in addition to, forwarded several copies of this plan to your Administrative Assistant who I understand has distributed those plans to various town officials. I also sent a copy of this plan to a representative of the neighbors and I understand that they had an opportunity to review it and last Thursday we had a meeting here with interested citizens and you, the Board of Selectmen. The plan, first of all the use remains identical. We are still talking about a business use which is an office building. That has not changed. The yard lot coverage has not changed. We are required to have a minimum of 25,000 sq. ft. As I indicated we have 4.50 acres. We need 125' frontage, we have substantially more than that and any structure that is located along Route 9 would have to be a minimum of 45' back and we are some 60' and even more back from the lot line. The major problems, when we were here before, really concerned the aesthetics of what we were proposing and also a protection for the abutters, neighbors and people who are driving on Southborough streets. So the first thing we did, we of course kept in mind the variance, which required the six (6) foot fence. That is provided for here on this Site Plan. In addition to that we were required, by the variance, to put in sparse plants. We have increased and improved that considerably and as a result of meeting with neighbors, basically evergreen, fir type of coniferous type trees are now shown in detail on this plan and also shrubbery and the coniferous trees would be from 4'- 6' and any trees would be a diameter of 1½" to 2½". In addition to the screening that is provided here and the fence, we have also agreed to put in what is I guess would commonly be called a berm and that is described here at the bottom of the plan and it is a slight rise going back down to the parking

lot. The purpose of that of course is to raise up all of the screening and the protection along the back lot line. Keeping in mind of course that this is residential district and it could at some point be used for houses. Along the Parkerville Road site we have also described in detail, and I don't mean every tree that I said is going to be planted is a standard that we intend to be held to. Along here the type of planting that will be put in here will be proposed (inaudible). I do have a question on this. Along Parkerville Road we have provided for a stockade fence. It was brought to my attention by the engineer that this may present a problem from a public safety point of view. I, Chief Baker of course is not here, I did talk to Sergeant Colleary. I told him that we were proposing a fence, that it was a solid fence. He indicated to me, and I would suggest that the Selectmen maybe question him on this. That they might consider a chainlink fence along this portion of Parkerville Road so that obviously you could see oncoming traffic. If you should make that requirement, it is a requirement, and of course that the owner will accept.

Now in addition to the screening which is described here, we also at the time have an old permit, a curbcut permit, from the Mass. DPW, and we went back to the DPW and we received a new permit. That permit is entered as an exhibit and the detail of that permit is shown here at the bottom of the plan. In addition, to the opening as they want it and as it would be built, they have also asked for a proposed acceleration lane along here, which the owner would be required to fill and which is agreed to and a proposed deceleration lane along here. With respect to the Board of Health we did obtain a subsurface sanitary sewage disposal permit. In addition to that we went before the Conservation Commission under the Wetland Protection Act and obtained a permit from them. The other question again was parking which before we had going in a different direction. As a result of talking to the neighbors they suggested, and we quite agree, that the proposal with these islands and putting the parking spaces where we now have them is a lot more attractive to the site. We also have handicapped parking along the front with some question about ramps. There are ramps on either extreme of the sidewalks, and of course we would be glad to put one in the middle. Somebody had made the suggestion it would be easier for the handicapped to go directly into the building that way. That, of course, is no problem from the owners standpoint. The spaces, we have the 415 spaces, we have 350 sq. ft. of space and that comes out to something like 145,000 sq. ft. and we have actually a parking area of 147,000 sq. ft. We have however reduced, again as a result of talking to the nieghbors and some town officials, we have reduced the size of the parking spaces. The size of the spaces, as they are shown here, do not conform to the Zoning By-Laws as they existed when we first submitted this plan. They do however, with one exception, and I will come to that in a minute. They do however, conform to the new Zoning By-Law which has been passed by the Town of Southborough and presumably very shortly will be approved by the Attorney General's office. When that is approved then this then would conform. The other thing that we did, and this is by way of demonstration, is that we recognize that there aren't many compact cars and we have designated this area here for compact cars. We want to show you and the residents, with this island the way it is, that these are about a foot short, two feet short, excuse me. It is a very simple matter, of course, for us to just delineate or go into that island, which unfortunately would eliminate some of the planting. But that is there, it is for your consideration and

whatever you feel under the circumstances of course, we're willing to do. The lighting, Mr. Bill Robertson, who is here with me, is a professional engineer, has made some lighting calculations and as a result has proposed a ten (10) foot height post for the lighting and he feels that this will adequately and safely, the way he has it planned, take care of the lighting requirements inside of the area and will do a lot for decreasing any possible nuisance or hazard. Not a hazard or nuisance any of the neighbors might have with lighting. The other areas here on the notes are just basically a summary of the matters that I have just discussed. There was a lot of question about the type of berm we would put in the parking lot and I have discussed this in some detail with Mr. Lane. First, there was a proposal that we would put in granite then we suggested to the Board that the cost is prohibitive. It is just unfortunate but it is. There was a suggestion that we put in a six (6) inch bituminous concrete curbing which would be very similar to what you have outside here on this side of the building as you go out of the driveway. What is shown, the curbing that is shown on this plan is a Cape Cod modified-type of curb and the detail of that is shown here on the plan. Mr. Lane tells me and he has had some experience in building large projects involving, obviously, access roads and also parking areas, that because of snow removal and everything else, this has been the most successful type of berm. It is the one that is less damaged. And I noticed outside here that in looking at your curb of six (6) inch bituminous concrete there were several places where repairs have been made. There has been a question that on the other side, on the Cape Cod berm, there were some tracks and marks going up over it, but it was at least in place and certainly the way it is designed would take care of the water problem, which is one reason and secondly no one is going to go over it too far before they get into any of the plants that we have here. Just by way of conclusion, Mr. Chairman, I would just like to suggest to you that this proposed use of this site is the highest and best use of this particular property and it was so designated as business use by the Town some years ago. Secondly, I would further suggest that this project as it appears here from a site plan and I believe you have seen pictures of the proposed building, would be an attractive addition to the Town of Southborough. And lastly, I don't think there is any question that a project this size is going to result in tax revenues. Mr. Chairman, thank you very much. Mr. Robertson and I are here if there are any questions.

Chairman McAuliffe: Mr. Satterfield do you have any questions at this time?

Selectman Satterfield: Yes, Mr. Chairman, I have a few. Mr. Swartwood, I'm mostly concerned with three items here for the benefit of the neighbors here and for what you said that the highest and best use of the land which undoubtedly will be, if it is as attractive as presented to us here. Unfortunately, Mr. Swartwood, we've all in the past seen nice attractive proposals presented here and we've seen what we've gotten later. I'm sure that in this case, Mr. Lane I know, has bent over backwards to please the abutters and to become a good neighbor and I feel that the screening, the lighting, are two items I'm very concerned with. On the trees, I'm not concerned about what kind of trees. I know there was some discussion last Thursday, the pines versus this versus that. I don't really feel like that's for me

to say. My question is will these trees grow? Hedges are not going to grow very much, they are not going to provide the screen. I have the same experience with my building on Route 9 where I put in trees about eight or so years ago and they were about 6' high and now they are about 20' high and they are, every year, becoming a more effective screen as they become higher and as they bush out. Hedges don't tend to do that, although hedges may be attractive in certain ways in the parking lot. I'd ask you also, you say that you wouldn't be held to the trees and I wouldn't do that to you as to the placement of them, but could you give us a minimum number of trees. Particularly on the back.

CBS: No, it is my understanding that you will get what you see here, and you will get the numbers.

DLS: As far as numbers.

CBS: As far as numbers, no question.

DLS: And would you tell me, because I'm not an arborist and I'm not sure. I know that certain types of trees that seem to just reach a certain height and quit. Then there is others that seem to grow forever. Are we going to have trees here? Can you assure us they will in time become 15, 20, 25 ft. high, 30 ft. high? I think that is very important to the neighbors.

CBS: I am not an arborist either.

DLS: But you're a lawyer and you could make up an answer.

CBS: I learned a long time ago, Mr. Satterfield, that that is exactly what you don't do. Mr. Robertson is going to have to answer that, but just before he does I will tell you. Mr. Lane does have a Landscape Architect, Alan Simon, and everything that he has done on his other projects have all been done by him and obviously (inaudible) and with respect to the growth, Mr Robertson can you help us?

DLS: My concern, Mr. Robertson, is if we put in the right kind of trees here, every year this thing will be prettier.

Bill Robertson: On a restaurant that we just had landscaped, Alan Simon is not a landscape architect, he's a landscaper. He did Natick Country Club last fall and we used white pine. He also used maples and red oaks and all are going very well.

DLS: Here you are just going to use some kind of an evergreen I imagine, is that correct?

BR: Probably white pine, the neighbors asked for it.

DLS: That will be super. They grow and they will continue to grow in their native area so that's my concern that 5, 6, 10 years down the road, in other words, this will be more attractive.

BR: (inaudible) uses this in large areas. He uses white pine, maple trees and oaks.

DLS: And you will tell us the number of trees that are delineated

will be the number that we will receive. My second question has to do with lighting. I got the idea that maybe we are going to have lights all night long, outside lighting.

CBS: No, this is the lighting for the parking lots.

DLS: Yes, that is what I meant, outside, those are parking lot lights.

CBS: As I understand it, there will be certain hours on that. Is that correct, Mr. Robertson?

BR: Very (inaudible) the lights go off at a certain time of night and there might be certain ones left on timers or something until people leave later.

DLS: That's what we do in our building. Okay, so you assure us that at 3:00 in the morning the neighbors will not have this dull glow of light or anything from the lot.

BR: No, they won't.

DLS: One other question now. As I recall the plan, you had a loading dock. Could you describe it? I'm concerned about traffic. I know we have the same problem in our building. We don't have an acceleration lane or deceleration lane. I wish we did, but the one, you know when trailer trucks start to slow down they need that. What is the width and the length of your deceleration lane? Does it suit the DPW?

BR: Length is, you need 200' with a 50' taper at the end. What you do is you take two lanes of Route 9 and you've got the eight foot shoulder and on the eight foot shoulder you add four more feet to make another twelve foot lane. Most highway lanes are 12' wide. So you have an additional 12' lane on the right hand side that's going to be 200' long and tapered back to 8' the last 50'. So it doesn't stop (inaudible) and on the way out at night the same way, you ride in the right hand lane until you get back into traffic.

DLS: Mr. Chairman, that's the major concern.

BR: On the permit for the DPW is a detailed sketch on the back that they propose (inaudible)

DLS: You're going to follow that? Super.

BR: It's all part of the plan.

TWM: Do we have any comments from the Planning Board.

Stephen N. Foley, Rep. Planning Board: Mr. Chairman, the Planning Board has no problem. Mr. Swartwood addressed that problem, being sure the parking spaces do conform to the new Zoning By-Laws which were incorporated at this Town Meeting which has yet to be addressed by the Attorney General.

TWM: Does the Building Inspector have any comments?

Edgar Phaneuf, Jr., Bldg. Insp.: My comment right now is the sign location for safety getting in and out of the lot. I would suggest that it be moved to the west of the entrance so it would free up any vision, traffic vision.

CBS: The State has told us we can't put that sign on the islands its got to be to the (inaudible)

EP, Jr.: A little more to the west. To the westerly side of the the island as shown on the plans. The State permit says it has to be over here (to west of proposed entrance).

Jean Bigelow, Abutter: (inaudible)

CBS: The sign is located on the plan over here. The State permit referred to, requires it be so many feet back. We are required to put it there.

Russell Millholland, representing Industrial Development Commission: Mr. Chairman, we agreed to vote favorably on this proposal. We feel that Mr. Lane has more than acted as a very responsible citizen and good neighbor by taking into account all concerns that have been raised by the neighbors and we agree with Mr. Swartwood that this is the best use of the land. We couldn't be more pleased to see this developer here versus a variety of other potentials that IDC has seen over the past several years, for use along Route 9.

TWM: Is there any other Board that wishes to make comment at this time? I will now open the meeting to the general public. All questions will be directed through me.

Joseph E. Green, Abutter: I would like Mr. Robertson to respond to John Kissida's letter. The most recent letter of May 19th that he submitted to you folks last Thursday. Could you go over the points brought up in his letter.

BR: 1. The reason that was done was I met with the citizens myself on January 20th in our office. We met with about 30 people and most of the citizens said lets if we can, get compact spaces and see if we can get more landscaping. That's why it was done.

2. The Grading Plan does not indicate a curb, it indicates a berm and I think that Mr. Swartwood already wrote that (inaudible) berms are not a problem, etc. Is there a traffic pattern restricting people entering McCarthy property? There is a bunch of bushes. You'd have to drive over them. You asked for granite or concrete curbing, and said the Selectmen required it, I didn't hear that at that meeting. All I heard is a Cape Cod berm. They are used in a lot of sub-divisions. It's being used in office parks today.

John E. Kissida, Jr.: The islands should also be curbed to define traffic patterns and protect plantings.

BR: My own experience in some of the different office buildings that I have been in including Natick and Shoppers' World, people don't buy (inaudible).

3. (inaudible)

4. It will not be over 2½ stories.
5. Can't answer that. We'll go with a six foot fence (inaudible).
6. The parking areas adjacent to the southwest corner and north-east corner of the building have slopes of/or exceeding 10%.  
ANSWER: I disagree, the southwest corner does not. It is 4 ft. and probably (inaudible) .

Mr. Robertson answered all concerns that Mr. Kissida presented in his letter to the Board of Selectmen dated May 19, 1982.

Mr. Kissida: I wrote this letter more or less just to indicate that the developer has come a long way from the original plan itself. He needs to be commended for that. Most of my points I think he has answered. A couple of them I still don't feel have been answered fully, to me at least, and hopefully not to the Selectmen. I wasn't here on Thursday night. The first question is how does 2½-stories arrive when we have three full stories of occupied space?

TWM: Edgar Phaneuf guaranteed that it is only 2½-stories and not a 3-story building and he also went over the State Code and guaranteed that he was in fact in compliance with the State Code.

Kissida: If that's a 2½-story building you might as well change our Zoning to three because (inaudible).

TWM: Well, the Building Inspector has told me that it is a 2½-story building and I have no reason to disbelieve the Inspector. So as far as this Board is concerned its a 2½-story building. So next point please.

Kissida: The next point is as far as the berms go, the Cape Cod berms. Having worked on a number of projects myself, the problems with Cape Cod berms is they are just like a ramp. You can drive on them just as easily as you can on the pavement itself. That's why they are shaped like a wedge. There is no way they are going to ~~re~~strict vehicles. If you have 400 cars here and there happens to ~~be~~ one or two different uses to get out at the same time and people start backing up here and are frustrated to get out to Route 9, there is no problem for a person just to drive right into the McCarthys and right out the other side to bypass the system. Or to drive across these. And also as far as planting on here, if they are so easy for a plow to jump over then what gives any protection to the plant materials placed there. They can jump right over and wipe over the plant material. It's a great idea but at the same time, granite curb or concrete curb, we know it's going to be here in 20 years when A.J. Lane might not be. But the problem with bituminous curb, we can see it right here on this front, where the snow plows hit it and its sitting there in pieces five or ten years down the road, what have we got. Again, I'm not sure how far we can ask the developer to go, but I think that it's something the Board should consider, in trying to at least define this area in providing additional protection and definition of Lane's as well.

COMPACT CARS: Of course it's nice to have compact car spaces, the question is, and I was one of the ones to suggest it, no question that they work it, no question that they work it in.

At the same time we have to know some way, that if you get big cars parked in there it restricts the space of parking and access way of other vehicles. Then really do we have 415 spaces? If they overlap two spaces with a large car then you can't have 415 spaces, you have less spaces.

BR: The width is the same.

JEK: The width is the same? It's just the length?

BR: 16' vs 18' in length. 9.5' in width.

JEK: On the planting, again I suggested that instead of, in lieu of shrubs, that more evergreen trees be planted and again that's to provide the screening. A 4' to 6' plant in front of a 35' building, it's going to take a long time.

? : Eighty-five years.

JEK: If it grows 6" a year that's probably true, to do any type of substantial screening and that's why we suggested to give a little more of a leap on the impact to the building to the adjacent residents, that at least 6' to 8' could be used. Another consideration might be to split the difference and put half 6' to 8' and half 4' to 6'. It would create a more natural type of appearance to begin with instead of having them all the same size and giving the jump on the plantings at least 50% of the time. So the larger trees you get in there, the faster you're going to have the impact and that's important. Access for the tractor trailer are still limited maneuvers. I looked at the different six wheelers, there is no problem. I looked at the different tractor trailers. I have no problem about getting it in there, the problem I have is once it backs in there is getting it out of that space.

BR: It can get out.

JEK: It can get out without tapping any of the cars?

BR: That's why there (inaudible).

JEK: That's one heck of a turn if you can do it. Making its left hand turn and going on around the facility.

JG: We'd like the Board's response to the deed restriction and the performance bond.

TWM: I would suggest that those are both acceptable items to the Board and that these could and would be worked out with the developers' attorney in conjunction with the Administrative Assistant and Town Counsel, if that meets with your approval.

JG: This is to go on public record. I do have a petition here and I'd like to read it to the Selectmen and to the developer. (Letter referred to is addressed to the Board of Selectmen, dated May 24, 1982 and is in the 225 Turnpike Road file) I'd like to present this as evidence that we support the deed restriction and performance bond.

Jean Duggan: Yes, Mr. Chairman, there were a couple of points that I wanted to address and I think that one of them might have been with Mr. Green's efforts for a performance bond and that's in terms of the screening. Now we have heard some conversation as to what might be put in and all of us have had experience with planting and plants dying. What would be replaced? The other point would be in terms of the lighting and that there would be assurance that the lighting would be turned off at a certain time. Would it be your usual position to specify that a certain amount of lighting would be turned off at a certain time?

TWM: I would think that the question on lighting and lighting as far as the building itself, should be, and could be addressed at the time that an application is made for a building permit. And that would be the proper place to address that and that we could most certainly work in conjunction with the developer on this to insure that we have no problems as far as the neighborhood is concerned. So we will not, whoever sites on this Board, in the future, have angry citizens in here. So we will address the lighting.

Jean D.: And just one other point, please, the Building Inspector has come back into the room. For the benefit of those of us who are not able to discern what the difference might be between the 2½-story building and occupied 3-story building. Could we have a little enlightenment?

TWM: Edgar would you respond to that question please?

EAP: The definition of the State Code is you count the first floor completely above grade as a story. So the two feet of dirt around foundations would make the basement or cellar not considered a story. The first floor above grade. All pictures we have seen, it is a 2-story building, if you want to call a basement a ½-story or 3/4-story or whatever, it's a matter of definition.

Jean D.: So the building, it basically does not exceed the footage or height that we require.

EAP: The height of partition, that we can control, that's a 12' grade and maximum is 35'. Excluding any chimney, tower, etc., light standings.

? : Who sets the grade?

EAP: The contractor comes in with the plan for the building. You must show an elevation of the building, that's part of the plan procedure.

CBS: I think there was some (inaudible) the elevation of footings and basement floors (inaudible). I'm sure those plans are holding true unless they redesigned it. The latest plans I have.

Abutter

Albert D'Entremont: I guess I'd like to add my voice to those of the others that said it has come a long way and is looking good. We still have questions, obviously. I'd like to address myself to the petition which is signed by some fifty-five people last year. I only want to talk about one point in that particular petition. It has to do with the order of construction and I would

sort of like to make public note of that right now. One of the points in that proposal is proposal #5, in the letter May 4, 1981. It had to do with the restrictions applying to the construction phase of the building. We name some four points. That the site be fenced in being an "attractive nuisance" to the children in the neighborhood; that the construction paraphernalia, the men, the vehicles and construction materials themselves be restricted to the construction site itself and not, for example, on the adjoining residentially zoned land or any other land nearby. Construction vehicular access only to and from Route 9 such as, no vehicles, whether they be construction workers' cars or the heavy equipment, for that matter, coming down the side streets. Parkerville, Middle, or John Matthews Roads, etc. and lastly the dust that they raise which is a fairly normal request in this sort of thing. I would certainly like to request that the Sel. make this part of the order of conditions on the approval of the construction.

TWM: We will certainly address all of your concerns as soon as we receive those plans.

John Ford, Abutter: I just wanted to say, as I said the other evening, that we are very happy with the developer's progress and want to commend them publicly about the way he worked with the neighbors and for the final site plan. I think that it is an excellant use of the property and (inaudible) good source of revenue for the community and hope it sets a precedent, not only for the kind of development that we want but also the kind of cooperation that should exist between developers and the neighboring residents. But the one issue that I do want to raise, which was also raised the other night, is that another issue that must be addressed, not by the developer but by the Board of Selectmen is the issue of traffic. There is going to be a substantial number of cars that will be entering and exiting that property early in the morning and at the end of the day putting tremendous strain on Parkerville, John Matthews, and Henry Knox Roads. Parkerville going North at a time when students of Neary School might be coming back from after school activities and John Matthews and Henry Knox to circle around and cross Middle at an already difficult intersection. I'd like to request that the Selectmen appoint some sort of committee to look into that issue so that it can be resolved and that committee include residents of the neighborhood.

TWM: I rest assure that we are, at least at this point, well aware of the concerns that you have raised in the past and that you have raised this evening and that we will most assuredly address all of those problems on which there are questions and they will be properly addressed.

Raymond Roseel, Abutter: One solution I have for that problem and which I think is a good one was on Parkerville Road. If you could go one way at certain times of the day, from Clifford Road out to Route 9 you would exit all that traffic onto Route 9 where it really belongs, both points east and west, and they could make a turn further on down Route 9 if you want to get back towards Framingham. But that would keep wandering cars off the city streets.

TWM: We will take that under consideration and rest assured before any final decisions are made the neighborhood will be well apprised of whatever action we are going to take.

Joseph Duggan, Abutter: Just a point my wife made about the maintenance of the landscaping should a tree die. 1. I assume that it is the responsibility of the builder and if so that something that the Town should enforce should a tree or several trees die. 2. The points that Joe (Green) brought up relative to the petition signed by the people here, we showed we'd all be very interested in knowing the specifics of that once it is negotiated. I appreciate (inaudible).

TWM: Yes.

Ralph DeNorcia: Mr. Chairman, as I look at this plan tonight, you know I've attended most of the meetings on this, and I don't really remember why the Zoning Board of Appeals required the fence on Parkerville. I think that it was to prevent cars from exiting off of Parkerville. There is a restaurant across from that proposed site and I'm wondering why we haven't allowed at least a pedestrian egress through that landscaped area so that any kind of pedestrian traffic along Parkerville could not cut across that landscape and rather than being forced to go down to Route 9 to make that entrance to the restaurant. Plus, you have no idea what the (inaudible) are going to be in this building. It's conceivable there may be some pedestrian traffic even from the residence. There could be a lawyer or whatever. I think it might be in the public safety to have some form of a pedestrian egress onto Parkerville.

TWM: Yes.

Michael McCormick, Abutter: On what he just said I disagree, because you start getting a pedestrian egress there and I feel like some people are going to be parking on Parkerville Road to get into the office building. Any overflow or just some people. Even parking in the restaurant parking lot....

TWM: The Board of Selectmen can address that problem by prohibiting parking. So I think that we can resolve that problem and we will solve that problem.

Carl Armbruster, Abutter: I guess this is a question for you, Tom. It's a procedural question. According to the Zoning By-Laws as I understand it, I read it at Joe Green's house the other night, one of the conditions for approving a Site Plan is that there be no adverse impact on the traffic problems. It says "minimizing additional congestion in public and private ways". It says "the Board of Selectmen shall now approve such, unless it shall find that the plan makes adequate provisions for minimizing additional congestion in public and private ways". Now I realize that you control (tape ended). If everything is ironed out satisfactorily, that tonight the Board of Selectmen giving approval to Mr. Lane to go ahead with the next step and then later on that the Selectmen address the traffic issue. What if we find out later on that we've got some kind of a monster on our hands. That we say what have we done here. Four hundred cars going out to Route 9, or four hundred cars going up Parkerville Road. What have we done? What about Middle Road? It's a death trap already. Now we are going to increase it. In other words as I understand it, it seems to be that the intent of this By-Law is that (inaudible) some reasonable solution to the traffic problem before we go ahead and put something up that we can't then stop and tear down. I want to see the

project go ahead, but I'd like to see that we've done this in a serious way so that we don't wind up later saying "we've taken the step and then we've tied our hands". So what is the procedure for solving the traffic problem?

TWM: On the local roads, are you talking about the local roads?

CA: Yes, Parkerville, Middle Road, Route 9.

TWM: There again that is a problem, that this board will have to discuss and will have to decide what is in the best interest, legally in the best interest, of the residents in that area as far as traffic is concerned. Again, I have said that we will most certainly address this. We will address this with meetings with the individual in that particular area. I cannot give you an answer tonight as to what potential problems may be there. The only guarantee that I can give you is that this Board will address those problems. Will address those problems in conjunction with the individuals who live in that particular area and we will do whatever is legally possible to protect everybody's best interest. That's the only guarantee that I can give you as one member of this Board.

CA: I appreciate your concern. I'm sure that you are going to....

TWM: And as far as the Route 9 traffic is concerned, of course that's a State Road. They have received approval for those curb cuts and what we have to look at is the traffic problem and there could be a potential problem out there. There's no question about that.

CA: But what I'm getting at, Tom, are we divorcing that approval of the site plan from the traffic solution.

TWM: No this has been a problem that has been brought forth by the neighbors from the original concept of this idea and again it's something we're going to have to look at. We're going to have to see what problems and what potential problems we're facing and again all I can say, that we'll address them to the best of our ability.

CA: In other words it's the final site plan approval that will not be given until the traffic problem is resolved.

TWM: We will approve this site plan, they will then come forth at some date with plans for the building and this Board will have to, in the meantime, look at the potential problems. What do we do with Middle Road? How do we handle it? What legally can we do, etc?

Jean Duggan: (inaudible) Okay, I'm not sure if I understand you correctly. Are you saying that your intent tonight is to grant approval pending certain things happening?

TWM: No. If in fact this Board approves this site plan tonight with whatever modifications they so desire, then the site plan is approved as submitted. Alright? The building itself is another question which will have to be addressed when those plans are submitted. But if in fact this is approved tonight it will be approved as submitted with whatever conditions this Board chooses, if in fact, the Board makes the decision to approve this tonight

or if in fact this Board takes it under advisement.

Jean D: And we know that.

TWM: You will know that. Yes, by all means.

Fred Douglas, Abutter: Are you satisfied that the traffic is not a problem?

TWM: No, I'm not satisfied that traffic is not a problem. There are many traffic problems in the Town of Southborough. Especially Route 9, as you are well aware.

FD: Understood. What I think that Mr. Armbruster is trying to bring to a head here is that actually prior to approving the site plan, should you not get some solution to the traffic. And that's just the way our By-Laws are written. That's one of your decisions in approving the site plan is that an increase in traffic can be remedied. Or that that increase does not create an impact. Possibly you could make that decision. So that I can see that the way the roads are now located and the access that would be available, Parkerville Road would probably obtain 100% increase during peak hours. That would be an increase of about 100 vehicles an hour. John Matthews Road would see about a 700% increase, that's about 30 vehicles an hour to about 200 vehicles an hour. Is that Board ready to make a decision on this?

TWM: What do you base these figures on?

FD: I submitted a statement as to the given number of employees in the building with what automobiles would be coming from and what routes they'd be taking. You can take those figures and throw them out if you want to. I was just trying to help the Board of Selectmen in making a finding as to the impact on the local roads and what the building could create for an impact. That was based on the original proposal of 600 cars. But if you just take the numbers and multiply by 2/3's you still realize the same impact because the people will be coming from the same general source. That being Marlboro, Framingham, Westboro, Worcester. I think I've started where the labor forces would be and how the numbers were derived. I'm asking if you still have those numbers.

TWM: I'm sure that I don't have them in front of me but I'm sure that we do have them. You submitted them and I do recall that you did submit them. Then we must have them.

FD: What I'm suggesting is that you hold off an approval on the site plan until you have a solution for the traffic problems. Because I'm sure that you've read many of the problems Westboro now has and they're main problems and they're being blamed by the industrial sources themselves. People who have come in and developed and said that the town was not ready for the development. They didn't know what to do. They wanted the tax revenue but they didn't know what to do with the traffic. Now they are faced with a big problem. And I can see the problem just overrunning into this community. Granted, this is only one site but its one site that will indeed increase traffic on the roadways by a substantial amount. I'm not just talking Parkerville Road. I'm talking Route 30, Route 9, Route 85. Everyone of those roads will see some sort of impact from this development. When I say impact I'm saying

anything of an increase of say (inaudible).

John Ford, Abutter: I just want to mention that according to our present Zoning By-Laws it says the Board of Selectmen shall not approve such a plan unless it shall find the plan made adequate provisions for minimizing conjetion. So it's not something we do after approval. It's part of our approval process as written in the By-Laws.

TWM: Do you feel that this particular plan does not address the problem?

JF: I don't think its the responsibility of the developer to address that problem. I think that's the responsibility of the Board of Selectmen. I think that this plan addresses the problem of getting the cars in and out of their lot adequately. I think that they have the documentation to prove that. It is the responsibility of the Selectmen and that's why it is in our Zoning. It's their responsibility to find that the plan makes adequate provision for minimizing additional conjetion on a public and private way. I think that there are a lot of people, including myself, who are concerned about that. Believe that it can be resolved, and want to see it resolved. And according to the Zoning By-Laws it's something that has to be addressed prior to the site plan.

Albert D'Entremont, Abutter: Speaking as one who indeed would like to see this plan now move forward I still must agree with what Mr. Douglas and Mr. Ford had said. I would hate to think that it would be held up because the Board of Selectmen had some homework to do in this regard. It may be that that's the case, but none of us here I think would necessarily think that this was a problem that was for the developers to solve and yet we want to see it solved.

Ralph Denorgia: Mr. Chairman, this project has been on the books now for a considerable amount of time. The developer has done more than what is to be expected of most. I hate to see it go on any longer. I'd really like to see it approved tonight. Now I don't know, as a suggestion, if it is possible. We did talk about one way streets on Parkerville Road and Clifford Road. Is it possible for the Board to stipulate that a patrolman be put at the intersection at the end of Parkerville Road on Route 9 from say 4 - 5 o'clock when the bulk of the traffic would be and not allow cars to go up Parkerville Road at that point and be paid for by the developer for a period of time and that be contingent upon the need if it deemed necessary by the Selectmen? If Mr. Douglas's fears come to light we could implement this in it. If it doesn't then we could for go it. It's only a suggestion because I would like to see this project go forward tonight.

Jean D.: Mr. Chairman, I respect the feelings of the IDC, having watched it for a good many years. I know what their concerns are and what their (inaudible) is. I also have a good deal of respect for the Board of Selectmen, realizing that they are elected and their concern is for the best wishes of the Town. But I think that we can't loose sight of what is happening and I don't feel that the Board wants to place itself in a position where they have to react. I think that you certainly have the foresight that we want to plan, and plan your moves wisely and well so that you won't be put into a box as we have seen our surrounding

communities put into a box and I think you know better than to be put into that position. I would like to express some confidence in this Board. That you know what you have to do (inaudible) .

John Ford: Again, I also agree with the representative of the IDC. That I would very much like to see the thing resolved this evening. All I'm requesting is that it seems to me that we have enough time to deal with this traffic issue before the building is built. But it is necessary for the Board to take action in order to approve the site plan. I think the appointing of a committee to address this issue and come back to this Board with specific recommendations would be sufficient action. I think that it can be resolved. I think it needs to be looked into. I don't think its something we should decide tonight, because I think we could make a wrong decision. We want to make something that seems like a very easy decision and find out that in action it would be a catastrophe. But I do think that we've got to address the issue in some affirmative way as part of the approval.

TWM: And what if this study or whatever takes six months or seven months or whatever the case might be. Are you asking this Board to delay a decision until we can be totally guaranteed that we.....

JF: I'm not asking you that at all I'm saying that, on my recommendation, and I'm not saying that my recommendation is legal, but would be that you approve and that you say that its part of the approval process that a committee must look into the traffic problem and be charged with making specific recommendations to the Board within 30 days.

TWM: But I don't understand what that has to do with it. Assume that we do it anyway , I don't understand what that has to do with the approval of the site plan.

JF: Because according to the Zoning By-Laws, it says you cannot approve it unless you find that the plan minimizes additional congestion of public and private.... I'm just reading from your By-Laws. I'm just raising that issue. It says you can't approve it.

TWM: I'm not sure in my own mind that it doesn't minimize, but I do say there are problems there.

JF: As I said, the Board of Selectmen shall not approve such plans unless it shall find.....

TWM: Unless.

JF: ....makes adequate provision for minimizing additional congestion in public and private ways.

Russell Millholland: Mr. Chairman, my personal opinion is that any building that goes up along Route 9 will in fact cause traffic. I guess from your point of view, it's your choice and you have to decide for your self whether or not you feel what the developer has proposed does the best that he can in terms of minimizing, whatever that means, the amount of traffic impact. Again as was spoken earlier the proposal has been before the Town for quite some time. The developer has acted and done much more than what has been requested of him and we seem to be left with just one remaining concern. Again I think that listening on how the By-Laws are read,

it's up to you. If you feel comfortable that the developer has done what he can to minimize the impact so I can go with restricting traffic, that's a possibility. Now I must speak up for the Andrea Restaurant. How do you exclude any body from turning in there to go to dinner. I don't think you find that you have a solution here. It rests then with someone with your best judgement, whether this proposal does what has been asked of it and I can recall the very first proposal that had the exit right in front of the Andrea Restaurant and the concern was monumental as to the traffic then going down and into the Town. Here we have both entrance and exit onto Route 9.

Raymond Rosseel, Abutter: What difference would it make if you did take out (inaudible) 30 days. If you have (inaudible) a couple of years. Make sure you get the traffic situation under control. That's a big problem, that's a lot of cars to let go at one time. And particularly when you get that middle situation down there (inaudible).

Carl Armbruster: I would go along with Ray's suggestion. My difficulty with Jack's proposal was that we're removing one vital option. If we say go ahead and give Mr. Lane the okay to go ahead on the site plan then he can proceed to the next step and get his resources in order to go ahead and start doing whatever he has to do to start getting the building up. Which would make sense. I too would like to see it get under way but I think that if we don't have any kind of solution to the traffic problem we're saying in effect that whatever problems this building will create traffic wise we can solve them. What if we can't? In other words if we give them the approval we remove one option, which is to deny the whole building. That is one basic option left to the Board of Selectmen. That's what this whole meeting is about. Can the building really go ahead? I think that we are really faced with the question, can it really go ahead without getting a solution to the traffic problem. And if we find that there is no reasonable solution and we've already given permission then we've tied our hands. So I would go along with Ray's suggestion, is it not unreasonable to ask the Board of Selectmen within 30 days to come up with a reasonable solution to the traffic problem. It won't be a (inaudible) one but at least we'll know what it is and we'll see if we can live with it. Then I think you will have discharged your duty as the Board of Selectmen acting reasonably without giving a go ahead and then saying later maybe we shouldn't have given it.

Richard Bellotti, Ledge Hill Road: If the developer had three or four exits onto Route 9 and no acceleration lane, I think it would be in your judgement to say that he had not addressed the problem. Because the developer had one acre on Route 9 and a proposed acceleration lane of the right length. I think he has done everything to minimize the traffic problem on Route 9. If Southborough has an existing problem after (inaudible) the developer has done everything he can to minimize the traffic coming off of Route 9.

9:10 p.m. The Board of Selectmen VOTED to recess the  
to meeting.  
9:27 p.m.

TWM: The meeting has been called back to order at 9:27 p.m. Is there anyone else in the room that would like to make a comment?

Fred Douglas: I'd like to ask a couple of other questions about it. Some conditions that were put on the plan, just to get this on the public record, there is a condition posted that all of the landscaping is subject to the review of the landscape architect. But could I just Mr. Robertson....

Charles Swartwood: I'll answer that for you, Mr. Douglas, it's very simple. What you see here is what you get as a minimum. And I've been informed he's not a landscape architect, he's a landscaper and he's done these other projects for Andy. (A.J. Lane). As to the exact tree or the type of tree, etc, you could go on and make recommendations. This is the limit that you see here now.

FD: That's terrific. Just a couple of other questions. What is the power line? How many watts are you talking about? And where will the lights be shielded along the residential area?

Bill Robertson: That's why the blue mirrors are pointing down, to provide the shield. You can see it on the little sketch on the site plan. On the left hand side next to the berm you can see the way those little arrows (inaudible) with the lights so (inaudible) turned up the flaps towards the (inaudible) . They put a high pressure sodium (inaudible). And I also stated on my plans that the final design, the light themselves would be this type of light. (inaudible)

FD: You had made a statement that the Board would address all of our concerns as soon as you have all the plans?

TWM: I will start to address your concerns tomorrow morning if you wish. I'm sure you are well aware that this is not the first time that this question has come before this particular Board. This is an elected Board, this Board will do its job and that's all that I can say. That's what we are elected to do and that's what we will do.

Joe Green: Before any decisions are made on the final site plan permit I would like to see that a condition that the performance bond and the deed restriction and that the construction sequence would be part of the site plan. And before you approve it, that actually they would run with the site plan. In other words before you even give a final site plan approval that this deed restriction, performance bond and the construction sequence should be part of the site plan.

TWM: Are there any other questions?

Sel. Satterfield: Mr. Chairman, I believe that on the third issue raised here which I believe was the construction sequence, you had mentioned that that would be addressed to the building permit. Is that correct? I realize that this is a difficult issue, Mr. Chairman, but I feel like this Board has got to address it. We may not have a perfect plan here, but we certainly have a very good one. And we have a developer who certainly bent over backwards in every way he could to meet the concerns of the neighbors. There is no question, if you don't want a traffic problem then just

don't build any more buildings in Southborough. That's the way to solve it. No more tax revenue, no more anything. No one likes it when the building goes next door. I understand that and I believe that the developer had done everything he can to minimize the impact of this building. And as the chairman has said, other concerns we were elected to address and solve and we believe we will solve. But I feel that this man had done more than we could legally ask him to do. I feel like that if we hold this thing up any longer it constitutes harassment and a disgrace to the Town of Southborough that we would put anybody through any more if we delay this any further, folks. We can't have a perfect plan when we're dealing with human beings. We have a very good one here and I have to say that although it may not be popular with you people and although I feel like that we'd like to do what's the popular thing we have to do the right thing too. And I just cannot in good conscience hold this man up any longer. Particularly since he has addressed 99% of the issues that affect you and at expense and you have all commended him for doing it. There are certain items, however, that you have bought for and you bought for last Thursday, that I agree with you must be written into the site plan to protect you. To protect the Town because we feel as this building goes up here it will set a trend and a pattern for Route 9. So its not just you people who are affected but its other people in the Town of Southborough. Therefore, Mr. Chairman, I MOVE that the Board approve the site plan as submitted by the petitioner, definitive plan dated May 23, 1982, subject to:

1. Deed restrictions to be discussed to insure that the screenings stay in place on the residential property.
2. That a Performance Bond be posted to assure that the screening will remain in place, should a tree die and this was particularly brought up, that it will be replaced at the expense of the developer.
3. Six (6) foot chain link fence on Parkerville Road, north and west borders, the chain link shall have a pedestrian egress on the Parkerville Road side.
4. Handicapped ramp in the center entrance of the building.
5. There shall be staggered white pine as shown on plan and to the exact, at least the number shown on the plan and no fewer to be written in.
6. Sign on the west of the Route 9 entrance/exit island.
7. Restriction parking requirements as approved by the 1982 Annual Town Meeting.

This has been written by Town Counsel (Frederick A. Busconi) and the language I imagine may have to be approved for the exact legality, but I believe that I covered this motion, Mr. Chairman.

TWM: The Motion has been made and seconded. Do you have further discussion.

DLS: I have none.

Joe Green: I don't think anyone that is here want to see A. J. Lane's development be held up or that we're being accused of harassment or anything like that. However, I think Ralph Denorgia brought up a good point and with the Wellesley Office Park during rush hour traffic they have a policeman directing traffic permanently at the expense of the developer and I would suggest just adding one point to your conditions. That a permanent policeman be posted at Parkerville during rush hour traffic so that the people exiting from the office park will not make a righthand turn on Parkerville Road.

TWM: Between what hours?

JG: Just during rush hour traffic.

TWM: Do you expect this Board to restrict traffic from Route 9 going to the Andrea Restaurant?

JG: How does it restrict it?

TWM: If you're coming up Route 9 and you want a policeman there to prevent traffic from making a right hand turn.

JG: Except those exiting into the Andrea's Restaurant.

TWM: How is that policeman suppose to know which car is going to the Andrea and which car is going to the, this again is a problem that this Board is going to have to resolve. It's a problem that we've been elected to resolve and we will have to resolve it. I think that we have in fact allotted enough time on this hearing. The motion has been made, the motion has been seconded. I shall now call for a VOTE. All those in favor say aye. Unanimous voice vote. Let the record indicate it was a 2 to 0 vote.

9:38 p.m. A.J. Lane Site Plan Hearing over.

The following was transcribed from a tape. Selectman Cipriano speaking in regards to the traffic issue on Route 9.

I'll do a very brief report, if I may preface that my remarks and statements, however relative to the plan that has been adopted tonight, as to the professional building. Now that the "gag" order is off on me, I would reserve the right to actively participate in any resolution of the traffic issues which might exist and I preface my remarks tonight because I have a feeling that we may have to rethink some of the discussions we have already had with both the State Officials and Representatives in this government. At any rate, Mr. Chairman, this is the report, very briefly, of what transpired yesterday morning in a meeting with Representative Joseph Navin present, Representative Navin's aid Richard Valarioti, Alex Hill and Gordon Stipe of the Traffic Study Committee, John Boland, Jeffrey Grossman, Admin. Ass't; myself (Sel. Cipriano), Henry Holmes, State DPW; his assistant Mr. Shea. As you are aware, the State has proposed to us the closing of both accesses, at Middle and White Bagley Roads and as you are further aware, there has been a report delivered by our local committee that both accesses remain open and hopefully be lighted. After a substantial amount of discussion, part of what was concluded by the State Engineer Mr. Holmes, was that a final decision would be made

that day and his final decision was to leave Middle Road open and to close White Bagley. It was the consensus of the members of the Town present at that meeting that what should transpire is that Middle Road remain open and that we pursue a light at White Bagley. Now, I say that right now, however, feeling that part of this may have to be rethought relative to this new plan that has been proposed. In any rate that's where we are. Mr. Holmes is going to submit a final report which will encapsulate those particular remarks. He is going to send the report to the State Engineer in Boston and affectively our contact with the Regional Office is concluded. We are now on the State level in Boston and we will be dealing directly with them as the second step of this entire matter. I would suggest that when our Traffic Study Report was put into a rough draft, from that we consider sending the final draft of that report, which Mr. Hill and Mr. Stipes is preparing, to the State. Understanding that the report suggested that we light both accesses. I don't know if there is any imput relative to either of the Selectmen relative to what they might think. We might have to amend by way of a supplementary comment to that report. But in any rate what I'm requesting is that we make a decision very quickly as to any additional comments on the report so that we can materialize those into a final package to be sent to the Boston Office. The Chief Engineer of the Department of Public Works in Boston, at which time we will discuss with him both Mr. Holmes final plan and the Town's concerns. That's it, Mr. Chairman.

Chairman McAuliffe: Job well done at this point. Do you have any comments Mr. Satterfield?

Sel. Satterfield: I feel like in this matter although I may disagree with some of the viewsheld by the previous board that its important for the Town that the boards speak with united voice. Therefore, I will reserve comment and feel that what has been set forth to the State a couple months ago and positions that we've made plain, I think it would weaken our position if I then open my big mouth and change things around. So why don't we proceed. I believe the way he is proceeding would be in the best interest of the Town, Mr. Chairman.

Sel. Cipriano: We still have, keeping in mind that a whole new issue has been brought up relative to the traffic that might occur on this building. We still have another week, I think, in which we can put our package together and if necessary we hand-deliver or whatever we have to do. So maybe we can consider all of the things that have been brought out tonight and the three amongst ourselves can come back next week with a final decision as to how we want to approach it with Boston. Hopefully, in concurrence and I'll take it from there and I'll be glad to participate in the Boston process as a representative of the Board of Selectmen on that committee.

Chairman McAuliffe: So be it. Do you have anything else to come before this Board?

Sel. Satterfield: One brief matter but an important one, Mr. Chairman. It was brought to my attention this afternoon by a citizen who lives in the center of Town, that we may be working to a, guess what, traffic problem again. Where Newton, Main, East Main and Boston Roads meet. As you recall there was a change

made last year when we moved the curbings back a little bit to put some plantings there. There citizens have observed several things that have happened here. When cars are parked right by that corner you get your visibility blocked even more than we use to, because it is moved out a little bit more. Particularly if its a van or pickup truck, which is becoming more and more common. The citizen's concern is several things have happened in this area. First of all we have wreckers parked across the street there, we didn't use to have them. You have perhaps cars out a little further. We have many senior citizens, as you know, Mr. Chairman, who walk that area and they don't always come to the crosswalk. They might cross in front of Lamy's there and of course we have the problem we've always had, which is excessive speed. People coming into Town, although it's posted 20, particularly coming down Main. I've sat there and calculated and run radar enough so that I know the average. Instead of 20 it is probably 30-35 going around that corner. The citizen brought it to my attention that perhaps we should have the police just look at this and see if they could make any recommendations. If indeed we have a situation building here because of changes that have been made, perhaps we should look at it before we have something happen. And I would make that recommendation, Mr. Chairman, that we outline these circumstances briefly to the Police Department and have them perhaps during the day shift or early in the 4 to 12 shift have the cruiser down there and have a man look at it and see if we've got a problem or not.

TWM: So be it.

10:00 p.m. Unanimously VOTED to adjourn.

Respectfully submitted



A. Jean McCaw

MINUTES OF MEETING

BOARD OF SELECTMEN

Tuesday, June 1, 1982

HEARING ROOM

7:30 p.m. Present: Chairman Thomas W. McAuliffe; Sel. Aldo A. to Cipriano; Sel. Denson L. Satterfield, Jr.; Admin. Ass't 7:46 p.m. Jeffrey A. Grossman; Receptionist A. Jean McCaw; one reporter and interested citizens.

Treasury Warrants signed by the Board

TW #195	in the amount of	\$ 95,486.58
#196		\$ 348,000.00
#197		\$ 7,327.60
#198		\$ 8,245.13

PERMITS GRANTED/DISAPPROVED

30-day Temporary Trailer Permits - two (2) permits issued to Red Roof Inn, 367 Turnpike Road to be used for Office Work. One (1) issued to Maki Electric to be on Red Roof Inn property for storage at 367 Turnpike Road.

One (1) issued to T.H. Bosse to be on Red Roof Inn property, 367 Turnpike Road.

Board read request from Peggy Tufts representing Algonquin Regional High School, requesting the use of the Old Fire Station for a car wash on Sunday, June 13, 1982. Board VOTED unanimously to grant permission.

Permission GRANTED to the Southborough Players, Inc., Patricia Gustafson, Producer, to sell tickets at the Transfer Station on June 5 and/or June 12, 1982 in order to have a drawing on the final night of their performance.

LICENSES APPROVED/DISAPPROVED

Board VOTED to GRANT a Fuel Storage License, to Ralph F. Munzert d/b/a S & H Auto Sales Co., to store underground in tanks, 20,000 gallons of gasoline and 5,000 gallons of diesel fuel at 353 Turnpike Road.

Board VOTED to GRANT a Class II License to Ralph Munzert d/b/a S & H Auto Sales, 353 Turnpike Road. Present CONDITIONS to go along with this new business (see 7:30 appointment for details).

APPOINTMENTS

Board read May 28, 1982 appointment, made by Town Moderator Joseph M. McManus, of Arthur R. Miner to the Personnel Board. Term to expire May, 1985.

Sel. VOTED 2 to 1 to appoint Dorothy M. Phaneuf to the position of Assistant Town Accountant.

CONTRACT AWARDED

The Board of Selectmen VOTED unanimously to accept the Highway Contract as contained. This document is effective July 1, 1982 and expires June 30, 1984.

SCHEDULED MEETINGS

7:30 p.m. Re: Application for Class II License (to buy and sell to second-hand cars only) for 353 Turnpike Road, Southborough.  
7:45 p.m. ough. Applicant, Ralph F. & Isabel M. Munzert, 16 Walnut Street, Southborough. Mrs. Munzert said it has been a body shop for years and could they continue with the same business. Sel. said yes they could with the following CONDITIONS: (1) Hours of operation: Mon.- Fri. 8 AM - 8 PM; Saturday 8PM - 2:30 PM; Sundays CLOSED. (2) No more than fourteen (14) used cars shall be stored on said property at any one time. Board VOTED unanimously to GRANT the Class II License with the stated conditions.

Re: Application for Fuel Storage License at 353 Turnpike Road (nearest cross road is Flagg Road). Mrs. Munzert gave the secretary the certified mail receipts that the abutters had signed, plus the required plans of the tanks and station. Fire Chief Edward F. Brock signed the approval. Sel. Cipriano then made a motion, seconded by Sel. Satterfield, and VOTED unanimously (by voice vote) to GRANT Ralph F. Munzert d/b/a/ S & H Auto Sales, Co., a License to store, in 25,000 gal. capacity underground tanks, 20,000 gals. of gasoline and 5,000 gals of fuel oil on the premises located at 353 Turnpike Road (nearest road is Flagg Road). This license supersedes all previous licenses issued.

DISCUSSIONS

The Board discussed appointing a Department of Public Works Study Committee (ad hoc) to expire May, 1983. Sel. Cipriano made a motion to appoint the following individuals to the committee, Sel. Satterfield seconded the motion, unanimous voice VOTE.

Selectmen's Office	Aldo A. Cipriano, Town House
Cemetery Commission	George F. Killam, 61 Richards Rd.
Water Commissioners	Michael F. Gulbankian, 40 Mt. Vickery Rd.
Insect Pest Control	Howard E. Truesdale, 14 Middle Rd.
Advisory Committee	Robert O. Bigelow, 15 Granuaile Rd.
Interested Citizens	Sherman H. Ball, 4 Boston Rd.
	Anne T. Emma, 13 Foley Rd.
	Lawrence P. Kimball, 5 Bigelow Rd.
	James A. McCaw, 19 Middle Rd.
	Mary Rourke, 3 Cordaville Rd.

The Board of Selectmen discussed the purchasing of a Word Processor. It was felt that the acquisition of such a machine would significantly improve the efficiency and quality of numerous projects. Applications of the word processor would include, but not be limited to the following:

Annual Town Report

Town Meeting Warrants

Salary Administration Plan

Accountant's Schedule "A"

Departmental Account Balances

All accounting functions

Mailings

Minutes for Selectmen, Advisory Committee, Personnel Board and other Board meetings.

Original letters - final & rough copies; repeat letters.

Town & Zoning By-Laws

Department Budgets.

It was noted that the total purchase of the Word Processor is \$9,050 Annual Maintenance is \$1,296; Annual Savings of \$4.465 and a 2.85 years payback period.

Sel. Cipriano made a motion that the Board of Selectmen by way of the Administrative Staff pursue and investigate the alternatives and changes in the word processing systems and report back to us at a date uncertain but as soon as possible with any new information that might be supplied by manufacturers of that type of a system.

Seconded and unanimously voted that the bid be taken under consideration.

The Board discussed ~~Weed Control~~. Present was John Roy of Conrail. See minutes of meeting in the Conrail file. (TAPES)

Discussion regarding the Turnpike Road Study Committee. The Board has not received the report from this committee. Administrative Assistant Grossman stated the committee is meeting Thursday to discuss the recent meeting with Henry Holmes, District Highway Engineer for the DPW and prepare a final draft. Sel. Cipriano noted that the Board of Selectmen will not be meeting for a month and proposed that the Board take the final draft report from Mr. Hill, a member of the committee, and add to that a letter from the Board of Selectmen and only amend what has been said or supplement what has been said by not requiring a light at Middle Road but simply requiring that the access remain open at this time so that our proposal would be a traffic light at White Bagley Road and keep Middle Road open. That supplemental letter to be sent together with the final draft report to Justin Radlow who is the Chief Engineer in Boston with the DPW. cc: to Sen. Daniel Foley and Rep. Navin. That will give the opportunity to pursue this at a higher State level in Boston on behalf of the Town of Southborough.

The Board discussed the fact that Willard S. Putnam, Town Accountant had a mild heart attack and has been hospitalized and will possibly be out of the office for four weeks. Under Section 56, Chapter 41 of the M.G.L. the Board has one of two choices. (1) To make an appointment of an Assistant Town Accountant in order that she/he might then be authorized to sign and to work on those instruments in that office that is <sup>now</sup> ~~not~~ allowed under the law. In order for she/he to do that the Board would have to appoint she/he as Assistant Town Accountant. (2) The Board of Selectmen would be so authorized to sign and act in behalf of the Town Accountant.

Chairman Thomas W. McAuliffe made a motion that in accordance with

Section 49A of Chapter 41 of the M.G.L. it is his opinion that it is incumbent upon the Board of Selectmen to appoint Dorothy M. Phaneuf, Assistant Town Accountant, who in the absence of the Town Accountant, may perform her/his duties and shall have the powers and be subject to the requirements and penalties application to her/him. The Board VOTED 2 in favor, 1 against.

Sel. Cipriano wanted for the record, his opposition to the motion is not based in any way upon the qualification of the individual put forth. It is simply his feeling relative towards the way the appointment should be handled. Just so it is so noted in the record.

Administrative Assistant Grossman informed the Board that application for the Community Development Grant was turn down.

There was extensive discussion with the Board of Selectmen Attorney Lawrence Faiman and Angelo Baltas regarding the Sale of the Old Fire Station. A transcript of the discussion can be found in the file.

CORRESPONDENCE:

Memo from the Administrative Assistant Jeffrey A. Grossman to the Board dated June, 1982 re New England States Pipeline was read. On May 28, 1982 Robert T. Smart, Jr., Esq., Senior Counsel of the Mass. Energy Facilities Siting Council stated that Alberta Gas Co. has decided not to supply gas through the proposed N.E. States Pipeline. They will transmit the natural gas through a pipeline which crosses the U.S. Boarder to Niagara Falls. The N.E. States Pipeline Co. intends to leave their application on active file with the Federal Energy Regulatory Commission. The possibility still exists that the pipeline may be constructed in the future, but not for three or four years.

Board noted May 27, 1982 letter from Central Mass. Mosquito Control giving the dates that they will conduct mosquito larvicing and spray for adult mosquitoes. They list the following dates: June 7, 14, 21, 28, 1982.

The Board read June 1, 1982 letter from Town Counsel Frederick A. Busconi re the Sale of the Old Southborough Fire Station. Atty. Buscino is of the opinion that Chapter 40, section 15 of the State By-Laws states that the Selectmen may sell the premises.

The Town Meeting Vote taken on Article 32, dated April 14, 1981, directs an appointed committee to make a report to the Board of Selectmen, consistent with its findings. This vote does not mandate a sale.

The committee cannot force the Board to consummate the sale. Nothing in the "Southborough Fire Station Developer's Kit", nor any other documents or discussion between the "Committee or any developer" can force the Board to sell the "station".

9:54 pm VOTED: to adjourn the meeting.

  
A. Jean McCaw  
Receptionist

EMERGENCY MEETING  
BOARD OF SELECTMEN

Tuesday, June 8, 1982

7:30 p.m. Meeting convened in the Hearing Room. Present were:  
Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano,  
Selectman Denson L. Saterfield, Secretary Marjorie R.  
Putnam, and Jean Bigelow (representing Southborough Villager News-  
paper).

Treasury Warrants signed by the Board:

#199	\$ 38,344.09	# 204	\$ 300,267.21
#200	\$ 242,000.00	# 205	\$ 9,491.72
#201	\$ 62,990.54	# 206	\$ 253,360.83
#202	\$ 166,785.61	# 42	\$ 229.99 Revenue Sharing
#203	\$ 165,396.37	# 43	\$ 48.40 "

PERMITS GRANTED:

(1) 30-day Temporary Office Trailer Permit Unanimously granted to John Bartolini to store an office trailer at Parkerville Road. (at Skylar Drive/Stonehenge Subdivision)

(2) 30-day Temporary Office Trailer Permit Unanimously granted to Vahan Sarkisian of Borough Corporation to store an office trailer at Ledge Hill Road.

(3) Temporary Sign Permit Unanimously granted to Red Roof Inns, Inc. of Southborough, 367 Turnpike Road. Due to lack of a ZBA quorum at ZBA Hearing scheduled for Monday June 7, 1982, this is now rescheduled for Wednesday, June 23, 1982. Therefore, the Selectmen VOTED: to grant permission to Red Roof to erect a temporary sign which will adhere to the limits described in the Sign By-Law and that should the appeal of Red Roof which is before the ZBA be denied, that the Temporary Sign shall be removed. This temporary sign is needed as they would like to schedule their opening for June 14.

LICENSE APPROVED:

1-day Special License granted to Southborough's Men's Softball League c/o Angelo C. Bertonazzi, President, for a Tournament at Choate Field, Saturday June 19 and Sunday, June 20 from noon until 10:00 pm each day.

APPOINTMENTS:

Unanimous vote to appoint Peter F. Phaneuf, 179 Middle Road, as an Alternate Member of the Zoning Board of Appeals, effective June 8, 1982, his term to expire in May 1983.

CONTRACT AWARDED:

Unanimous vote to award contract for desk-top word processor, hardware and software for \$ 9,050.00 to Business Systems Resources, Inc., 303 Wyman Street, Waltham, MA

(There were no scheduled appointments.)

Selectmen asked that a notice be posted for a meeting for Tuesday, June 22, 1982 at 4:30 p.m. in order to award the contract for the Town's supply of diesel fuel.

7:58 p.m. VOTED: to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

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MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, June 22, 1982

Conference Room A

4:30 p.m. Present: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Selectman Denson L. Satterfield, Office Manager Janice Conlin, Secretary Marjorie Putnam, Highway Superintendent John W. Boland, Jr., Town Counsel Frederick Busconi, and members of the press.

Board voted to accept June 8, 1982 Minutes of Emergency Meeting of Board of Selectmen.

TREASURY WARRANTS signed by the Board:

<u>FY '82</u>			
#207	\$ 21,050.64		#211 \$ 41,844.30
#208	\$ 458,000.00		#212 \$ 300,000.00
#209	\$ 42,267.84		#213 \$ 6,424.95
#210	\$ 21,174.82		#214 \$ 98.28
#44	\$ 693.60	Revenue Sharing	#215 \$ 41,981.36
#45	\$ 44.00	" "	#216 \$ 204.92

FY '83

#1	\$ 87,894.71
#2	512.97

CONTRACTS AWARDED:

1. Diesel Fuel for the Town of Southborough awarded (by UNANIMOUS Vote) to Falconi Bros., Inc., 29 Boston Road, Southborough, MA as per its bid \$1.016/gallon delivered. (It was noted that prices are lower this year compared to last year.) UNANIMOUS VOTE.
2. Cab and chassis, 35,000 G.V.W. for the Highway Department. (Article #35 ATM 1982) to Worcester Mack Sales & Service, Inc., 442 Southwest Cut-off, Worcester, MA as per its April 5, 1982 bid in the amount of \$33,808.00. UNANIMOUS VOTE.
3. 5 year Contract for Transportation & Disposal of Refuse from the Transfer Station. to Reddish Disposal Service, Inc. of Dedham effective 7/1/82 and expires 6/30/87.

APPOINTMENTS/RESIGNATIONS:

Resignations: (1) From Peter Phaneuf, dated 6/21/82, resigning from Zoning Board of Appeals as an Alternate as he is on the Industrial Development Commission and this would cause a conflict of interest.

(2) From Henry W. Welch, Jr., 22 Main St. resigning from the Southborough Democratic Town Committee, and as a State Appointee to the Southborough Housing Authority to Governor King, effective 6/21/82. VOTE: Place on file.

Appointments: (UNANIMOUS VOTES), expiring in May 1983.

- (1) Zoning Board of Appeals Alternate: George A. Hubley, 103 Southville Rd. (to replace Peter Phaneuf)
- (2) Stony Brook Golf Course Study Committee: Leonard E. Gorman, 14 Mitchell St. Fayville
- (3) Sidewalk Study Committee: Robert Spayne, 167 Parkerville Rd, Southborough
- (4) Public Representative of the Board of Selectmen to the Board of Directors of SMOC (Alternate): Edgar A. Phaneuf, Jr. 171 Middle Rd. Southborough.

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SITE PLAN

6/17/82 letter from Robert P. Juliano, 35 Atwood Road, stated that he filed for a business certificate under the title of "Environmental Science Laboratory" with the Town Clerk. He has no intention of performing lab testing at this time on this site but is using his home address strictly for a business address and has made arrangements to use the facilities of an established laboratory in Sharon, MA. Chairman McAuliffe spoke to Mr. Juliano and is satisfied that just mail will be received at this address. Town Counsel stated that he has no problems with this. Selectmen will not require a Site Plan Hearing at this time and this letter will be placed on file.

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Buy-Back- Two used transfer trailers & one yard tractor:

John Boland, Highway Superintendent stated that he needed the Board's vote and a letter which East Bridgewater Associates needs in order to exercise the option under Section 4.16 Equipment Buy-Back of the current contract between the Town and East Bridgewater Associates, contract signed June 28, 1977 (effective 7/1/77, expires 6/30/82). This was approved by ATM 1982 by Article 34. UNANIMOUS VOTE of the Board.

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CORRESPONDENCE NOTED AND ACTED UPON:

DOG OFFICER

Chairman McAuliffe signed "Dog Warrant" letter enabling Dog Officer Charles F. Hamel to pick up and dispose of unlicensed dogs.

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RAILROAD WEED CONTROL SPOT-SPRAYING:

June 14, 1982 letter from John B. Roy, President of Railroad Weed Control, Inc. regarding their revised spot-spraying program and June 14, 1982 Memorandum from <sup>Frederick</sup> Winthrop, Jr. of the State Dept. of Food and Agriculture, enclosing "Interim Guidelines Relative to the Use of Herbicides on Railroad Layouts in Massachusetts". Chairman McAuliffe stated that all the concerns that have been raised to date have been met and there are now strict rules and regulations governing proposed spraying in the future. Town Counsel said the rules and regulations have been drastically changed due to the fact that many municipalities had complained. Also, it was explained to the representative of Railroad Weed Control during an inspection train ride last Friday about the various problems which could be caused from indiscriminate spraying such as private wells, etc. There are more guidelines concerning waterways and the new rules are much more conservative. The Pesticide Bureau are very knowledgeable, conservative and very cooperative. Selectman Satterfield asked if anyone from town would accompany the sprayers to watch out for problem areas. Town Counsel said he is going to suggest that to Mr. Roy. The vehicle used for spraying is an old automobile which travels about 10 miles an hour and takes about 2½ hours to do the entire job. MOTION by Selectman Cipriano (seconded by Selectman Satterfield):

"I move that the Board of Selectmen approve the railroad's spraying proposed by Railroad Weed Control, Inc. subject to all conditions and guidelines as set forth in a memo dated June 14, 1982, from Frederick Winthrop, Jr.; further, subject to any understandings or statements made by the representatives of Railroad Weed Control, Inc. to town officials commissioned on behalf of the Board; and finally subject to a letter dated June 14, 1982, from Railroad Weed Control, Inc., signed by John B. Roy, President; and finally, so long as a representative of the Board of Selectmen, Denson L. Satterfield, has an opportunity to directly inspect and ride with the representatives of Railroad Weed Control, Inc. or his designee, or do or act anything in relation thereto."

UNANIMOUS VOTE.

A representative of Railroad Weed Control said there may not be any room for a rider.

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TOWNE LYNE VILLAGE SUBDIVISION:

June 15, 1982 letter to the Planning Board from the Board of Water Commissioners re Towne Lyne Village Subdivision stating that they feel it is not a water department function to maintain the 10,000 gallon tank, well and pump at this subdivision. ACTION: Motion was made by Selectman Cipriano (seconded by Selectman Satterfield): that the Board acknowledge receipt of this 6/15/82 letter from the Water Commissioners, place it on file and invite the Commissioners to a meeting together with representatives of the Planning Board and the Fire Chief to discuss this 10,000 gallon water tank and the responsibility of its maintenance, etc. UNANIMOUS VOTE.

MEDIAN CLOSING - Rte. 9

June 7, 1982 letter from White's Corner Restaurant, Turnpike Rd. to Representative Joseph Navin, opposing the State's proposed closing of the intersection of Rt.9/Breakneck Hill Rd./White Bagley Rd. (in front of restaurant). Selectmen Cipriano said he would be attending a meeting with the State DPW, Boston, at 10 a.m., June 29, 1982. Also planning to attend this meeting will be Alex Hill, John Boland, and Jeffrey Grossman. Selectman Cipriano will report any decision from the meeting to the Board.

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WESTBOROUGH OFFICE PARK

Certification of the Secretary of Environmental Affairs on the Scope of the Environmental Impact Report. This project does require the preparation of an Environmental Impact Report.

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ROBERT A. GOYETTE (former Police Chief)

June 2, 1982 decision of the Contributory Retirement Appeal Board. Decision of the medical panel unanimously certified that Goyette is totally and permanently disabled and that his duties as Police Chief could be/natural and proximate cause of the disability. Worcester County Retirement Board must grant accidental disability retirement benefits.

5:28 p.m. After reading the above Decision the Board unanimously to VOTED to go into Executive Session in order to discuss

6:18 p.m. the question of litigation concerning the Town of Southborough - the court case of former Police Chief Robert A. Goyette vs the Town of Southborough and Lanza vs. the Town of Southborough. Selectmen announced that they will reconvene the meeting at the end of the Executive Session.

6:19 p.m. Reconvened the meeting. No votes were taken during Executive Session.

6:22 p.m. VOTED: to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

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MEMORANDUM

ON June 15, 1982 Selectmen signed the following documents:

1. Treasury Warrants:

Revenue Sharing	#43	48.40
Regular	#203	\$ 165,395.47
"	#204	\$ 300,267.21
"	#205	\$ 9,491.72
"	#206	\$ 253,360.83

Memorandum continued:

2. 30-day Temporary Trailer Renewal Permits for:  
126 Turnpike Road for Ronald J. Garcia  
40 Mt. Vickery Rd. for Michael Gulbankian
3. Special Permit for Southborough Players, Inc. for the sale of wines and malt beverages on June 18, 19, 20, 25 and 26 at Benson Auditorium, St. Mark's School, Route 85.
4. Zoning By-Law Permit for Edward C. Bassett, Jr. to build a single family dwelling at 79 Sears Road (Assessors Map 83, Lot 8)

*Mark*

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday July 6, 1982

Hearing Room

Present:

7:30 p.m. Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Selectman Denson L. Satterfield, Jr., Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, members of the press and interested citizens.

Treasury Warrants signed by the Board:

<u>FY'82</u>	#216A	\$12,017.23	<u>FY'83</u>	#3	\$671,000.00
	#217	\$22,938.43		#4	\$ 9,588.18
	#46	\$ 35.20 Rev. Sharing		#5	\$ 2,815.62
	#47	\$ 1,664.60 "		#6	\$ 2,755.00
				#1	\$ 2.040.00 Rev. Sharin

PERMITS GRANTED:

1. Site Plan Permit granted to William Mauro d/b/a Mauro's Market, 4 Main Street (for further details see 7:45 p.m. Scheduled Appointment) UNANIMOUS VOTE.
2. Temporary Trailer Permits (30 days): Granted to Hugh Dalzell, 90 Turnpike Road, for two (2) office trailer permits  
For=Chairman McAuliffe  
For=Selectman Satterfield  
No= Selectman Cipriano  
Granted to Kenneth Hull, 1 storage trailer for Red Roof Inn, at 367 Turnpike Road.
3. Temporary Sign Permit renewed for Mitchell J. Sthika d/b/a Muley's Food & Spirits, 1 Southville Road, for another 30 days. UNANIMOUS VOTE:

LICENSES APPROVED:

1. Transfer of Package Goods Store/Wine & Malt Beverages License FROM Joseph F. Prior, Jr. and Roger K. Poole, Jr. d/b/a Fitzgerald's Wine Cellar, 110 Southville Road TO J.Prior & Sons, Inc.d/b/a Fitzgerald's General Store, Joseph F. Prior, Manager. APPROVED. UNANIMOUS VOTE. (for further details see 7:30 p.m. Scheduled Appointment)
2. Limousine License - permission GRANTED BY UNANIMOUS VOTE to South Middlesex Transportation, Inc. (based in Ashland). (for further details see 8:00 p.m. Scheduled Appointment)

CONTRACT SIGNED: Selectmen signed 5-year contract with Reddish Disposal Service, Inc. for the transportation and disposal of refuse from the Southborough Transfer Station. Contract effective 7/1/82 and expires 6/30/87.

SCHEDULED MEETINGS:

7:30 p.m. Legal Hearing was held on the application for the transfer of Package Goods Store/Wine & Malt Beverages to Joseph F. Prior, Jr. and Roger K. Poole, Jr.

7:40 p.m. License FROM Joseph F. Prior, Jr. and Roger K. Poole, Jr. d/b/a Fitzgerald's Wine Cellar, 110 Southville Road TO J. Prior & Sons, Inc. d/b/a Fitzgerald's General Store, Joseph F. Prior, Manager. Present was Joseph F. Prior, Transferee. Mr. Prior submitted the certified mail receipts proving abutters had been duly notified of this hearing. Mr. Prior explained that the partnership of Roger K. Poole, Jr. and himself has been dissolved and that he is the sole owner. The Board noted copy of the Articles of Organization of J. Prior & Sons, Inc. which were submitted to the Secretary of the Commonwealth of Massachusetts by Mr. Prior on May 24, 1982. Since all the required documents were in order, Selectman Cipriano made a MOTION that pursuant to Chapter 138 of the General Laws, as amended, that this license transfer be approved for J. Prior and Sons, Inc. d/b/a Fitzgerald's General Store, Joseph F. Prior, Manager. (Motion seconded by Selectman Satterfield). It was UNANIMOUS VOTE of the Board.

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7:45 p.m. Site Plan Hearing was held on the application of to William Mauro d/b/a Mauro's Market, 4 Main Street,  
7:50 p.m. proposing to build a second floor addition; 15' x 27' storage room. Present: William Mauro, Water Supt.

William Binder, Building Inspector Edgar A. Phaneuf, Jr. and abutter Richard Curran. Mr. Mauro explained that this addition will go on the back part of his building. He wants to carry more merchandise and this new room will free up his stock room on the first floor and will increase the selling space to 20' x 14' downstairs. He is looking for more stock space. Mr. Mauro presented certified mail receipts proving his abutters had been duly notified of this hearing. He also said the abutters had no objections to this addition and he had letters from them stating this fact. Mr. Phaneuf stated that he had reviewed the plan of the proposed addition and said the plans were in order. The addition is going over what he already has and complies with the Zoning By-Law of the Town of Southborough. Since there were no objections received, Selectman Cipriano made a MOTION that the Site Plan as presented by William Mauro be approved. (Selectman Satterfield seconded the motion.) UNANIMOUS VOTE of the Board.

Selectman Cipriano asked what the time limit is for the Site Plan approvals to come from the various boards involved. Administrative Assistant Grossman said at least seven days are allowed to report to the Selectmen their approval or disapproval re the site plan. Usually Building Inspector Edgar A. Phaneuf, Jr. contacts the various Boards. Up to now, silence from the boards denoted approval. MOTION of Selectman Cipriano (seconded by Selectman Satterfield) to ask Building Inspector Edgar A. Phaneuf, Jr. for a written document that he had contacted the various boards re the site plan involved.

VOTED: UNANIMOUS.

License Request

8:00 p.m. Meeting with Charles Annesi requesting on behalf to of his wife, Sandra A. Smith, President of South 8:14 p.m. Middlesex Transporation, Inc. of Ashland, Ma. a Limousine License from the Town of Southborough. Mr. Annesi explained that he and his wife have been operating this business for seven and a half years. Since the cab strike at the airport, things have changed. They can take people to the airport but they cannot take their own customers back unless they have a license from the Town where the customer will be taken to. There is now a "pool" at the airport. The Department of Public Utilities says the way they have been operating is legal but they have no control over Massport. Mr. Annesi stated that his company pays five per cent to Massport just for the use of their limousine stand. Therefore, Mr. Annesi would like a letter authorizing him to pick up people in Southborough at their request. Mr. Annesi is also licensed in Hopkinton. Since Southborough has no taxi license, according to the DPU it is legal to drop off passengers in Southborough. However, Massport is insisting on a license from each town. There are no state requirements. Mr. Annesi presented a folder to each Selectman with letters of recommendation from the Shawmut Worcester Co. Bank, St. Mark's School, Data General, William O'Rourke (9 Tara Rd.) and AAA Trucking Corporation, all businesses and/or residents of Southborough. This company uses vans and always keeps new models. He has Dodges and Volkswagens and is under the control of the Registry of Motor Vehicles. He has no record of any safety violations. His prices are considered reasonable as he charges \$16 to the airport from Southborough.

MOTION from Selectman Cipriano: I move that permission be given to South Middlesex Transportation, Inc. to pick up and deliver passengers from Southborough, subject to Building Inspector Edgar A. Phaneuf, Jr. reviewing this matter to determine that the Zoning By-Laws of the Town of Southborough are complied with.

Discussion: Edgar A. Phaneuf, Jr., Building Inspector was also present and asked Mr. Annesi where he was operating this business from. Mr. Annesi said he had a place where he stores his office equipment on Turnpike Rd. (in motel) and has no telephone. Mr. Phaneuf questioned whether or not he needed a site plan hearing.

8:14 pm It was a Unanimous VOTE on the above Motion.

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8:30 p.m. Meeting with Planning Board (present: Chairman Fred S. to Ellis, James B. Denman, David P. Scattergood and their 9:00 p.m. secretary Eleanor Stoddard), Water Commissioners (present: Chairman Michael Gulbankian and Water Superintendent Binder) and Fire Chief Edward F. Brock to discuss the maintenance of the 10,000 gallon tank, well and pump to be installed for fire protection at the Towne Lyne Village Subdivision off Oregon Road. Also present was Building Inspector Edgar A. Phaneuf, Jr. Chairman

McAuliffe stated that the Board called this meeting to discuss who would be responsible for checking out the equipment to be installed to insure that any fire truck would be able to get water in order to put any fires out. A letter dated 6/15/82 has been received from the Board of Water Commissioners which considers this not a Water Department function and as there is no domestic water usage in this area, the Board of Water Commissioners feels no responsibility to maintain this system. Water Commissioner Gulbankian stated that this has nothing to do with the Water Department. This subdivision has wells and Towne Lyne Village Subdivision is a private entity. This would set a precedent. The Water Commissioners do not want the responsibility. Fire Chief Brock stated that his department would be glad to assume the responsibility but he had several questions such as: is the town going to own it? what about the access to the tank since the tank is being proposed to be put in the middle of the subdivision? The developer talked with Chief Brock and agreed to put up one 10,000 tank instead of the original plan of two 5,000 gallon tanks. Chief Brock said it would be easier to maintain one tank. Water Superintendent Binder asked how long is the developer's responsibility for the maintenance of the tank(s). Tanks deteriorate and if the tank leaks, who is responsible? Planning Board member James Denman said his Board has changed the 10,000 gallon tank back to two 5,000 gallon tanks, one to be placed at each end of the cul-de-sac. These tanks will be maintained by the developer, Dennis Paul, for three or four years until the development is completed, then it reverts to the Town to take care of them. Mr. Paul will give the Town an easement. Superintendent Binder asked questions regarding the electrical service to the pumps. Mr. Denman said his Board had a meeting at 9 p.m. tonight with the developer and invited Water Commission Gulbankian, Fire Chief Brock and anyone who had concerns to attend the Planning Board meeting. Board of Selectmen VOTED to take this matter under advisement. Selectman Satterfield stated that our subdivision by-law was lacking in that it has no fire protection law. Mr. Denman said the Planning Board is planning to review the subdivision By-Law to correct this omission. Superintendent Binder said eventually there will be town water in that area and said that the Planning Board should require the developer to install fire hydrants and connections to the water mains now. These can be capped for future use.

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9:00 p.m. Meeting to discuss the sale of the old fire station to at 5 Main Street. Present: Angelo C. Baltas, and his  
 9:48 p.m. Attorney Richard J. DeAngelis, Esq. Chairman McAuliffe read Att. DeAngelis' letters <sup>(6/22 & 7/2)</sup> (enclosing a plan depicting the layout of the first floor). These letters addressed all of the concerns of the Selectmen and the Study Committee. Mr. DeAngelis gave a brief presentation discussing the layout of the first floor with the reduction in the size of the proposed pizza restaurant with a 25-seat capacity. There is a possibility that

the easterly side of the building would be available for a tenant. There is a possibility of a variety of shops which would enhance the goals mentioned in the proposal. His client does not feel there should be any change in the cost estimates. The new septic system controls how many seats will be allowed by the Board of Health. Selectman Cipriano suggested the possibility of Mr. Baltas entering into some type of short term lease arrangement with an option to purchase the property. This would give Mr. Baltas a chance to perform and address some of the concerns of the town. The purchase price would remain the same and some sort of rental amount could be arranged. Attorney DeAngelis replied that he can't respond to that suggestion at this time as he will have to consult with his client. At 9:35 pm Selectmen declared a five minute recess and Mr. Baltas and his Attorney left the Hearing Room and returned at 9:40 pm. Meeting resumed at 9:41 pm. At this time Selectman Cipriano made a MOTION: that the type of instrument to be utilized for the conveyance of the property be referred to Town Counsel for review and comment and that Attorney DeAngelis be requested to direct any correspondence to Town Counsel and to work out the details for the potential conveyance with a short-term lease and option to purchase, either via a deed or lease/hold, to allow Mr. Baltas to perform as he has proposed. (Motion seconded by Selectman Satterfield)

Discussion: Selectman McAuliffe stated that he believes that Mr. Baltas has met every single requirement that the Board has requested and has met every single requirement of the Study Committee. Chairman McAuliffe is not in favor of requesting a new requirement, specifically Mr. Baltas being required to lease this property for any period of time. The Town Meeting directed that a committee be formed which should report back to the Selectmen and that the Selectmen be entitled to make changes as they see fit and then to sell the property.

VOTE: Selectman Cipriano: For; Selectman Satterfield: For; Chairman McAuliffe: Against. Motion passed.

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CORRESPONDENCE Noted and Acted Upon:

Monthly Statistical Report on Radar Assignments and Speeding Citations Issued for the Month of June 1982, directed by Police Chief Baker and submitted by Sgt. Danny R. Chernewski.

Action: Letter to go to Police Chief William D. Baker, copy to Sgt. Chernewski, commending them for the fine job which they have performed on the recent radar assignments.

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Re: Sgt. Danny R. Chernewski's Request for 4 weeks vacation time:

Chairman McAuliffe noted 6/29/82 letter of appeal from, Sgt. Chernewski to Police Chief Baker; 6/27/82 letter from Police Chief Baker to the Selectmen asking for their consideration on this matter; 7/6/82 opinion from Town Counsel Frederick A. Busconi stating that based

on the information he has received, Sergeant Chernewski is not entitled to four weeks vacation in that the Police Contract calls for continuous police employment and the Union Contract supersedes any conflicting rules. Action:

MOTION by Selectman Cipriano: that the July 6, 1982 opinion of Town Counsel Frederick A. Busconi be adopted by the Board, and based upon the communication from Police Chief Baker and from Town Counsel Busconi, that Sergeant Danny R. Chernewski's appeal regarding four weeks vacation time is hereby denied. (Motion was seconded by Selectman Satterfield)

VOTE: UNANIMOUS.

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Re: Pound Seizure Law:

Board noted letters from Jill Charnley Grice (dated 5/26/82) and from Dog Officer Charles F. Hamel (6/3/82).

Action: Acknowledge the receipt of these letters and keep them on file.

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Cherry Sheet (item C-9-- Local Aid Line):

Board noted 6/24/82 communication from Mass. Municipal Association forwarding amounts to be received from the State. Southborough will be receiving a \$91,626 increase in fiscal year 1983 local aid over that which was received in FY'82 Action: Thank-you letters to go to Representative Navin and Senator Foley for their help.

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6/25/82 letter from Federal Bureau of Investigation, Washington, D.C. informing the Board that Chief of Police William D. Baker received a diploma at the 129th Session of the FBI National Academy signifying successful completion of the training course.

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9:50 p.m. VOTED: unanimously to adjourn.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

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Selectman Cipriano asked that the expense accounts for travel and luncheon meetings under the Board of Selectmen list more detail such as to the purpose of the meeting, the number of persons involved in the luncheon meetings and who was present.

MINUTES OF MEETING  
BOARD OF SELECTMEN

Thursday, July 8, 1982

Hearing Room

6:00 p.m. Present: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Selectman Denson L. Satterfield, Jr. Secretary Marjorie R. Putnam, Town Counsel Frederick A. Busconi, members of the press and interested citizens.

Treasury Warrant signed by the Board: FY '83 T.W. #7 \$3,763.25

A G E N D A

(1) APPOINTMENT:

Board Unanimously VOTED to correct its June 22, 1982 vote by removing the word "Alternate" from the vote. The vote should now read: Voted to appoint Edgar A. Phaneuf, Jr., 171 Middle Road, as Public Representative of the Board of Selectmen to the Board of Directors, his term to expire in May 1983.

(2) Robert A. Goyette (former Police Chief) CASE:

Board noted the receipt of the following correspondence:

(a) 7/8/82 letter from Town Counsel Frederick A. Busconi offering facts for the Board's decision as to whether or not the Town should settle any and all matters between the Chief and the Town.

(b) Attachment #1 Decision from the Commonwealth of Mass. Contributory Retirement Appeal Board dated June 2, 1982 which directs the Retirement Board of Worcester County to grant the Chief's accidental disability.

(c) Attachment #2 July 6 letter from Town Treasurer/Collector Mary Guilford listing the breakdown of sick pay due to Robert Goyette per the court's decision that his illness is job related: NET to Robert A. Goyette: \$1,755.00

(d) Attachment #2a Schedule of Bills Payable (to be signed by the Board) listing two checks: one payable to Robert A. Goyette for \$1,735.00 and one payable to the Town of Southborough (redesignate Waldo B. Fay Fund in the amount of \$1,020.00.

Chairman McAuliffe's statement on the above: "It is my opinion, having spent a great deal of time reviewing this case, having spent a great deal of time being involved in this case, that the Board of Selectmen should vote this evening for an out of court settlement in the amount so specified in the letter dated July 6, 1982. Having reviewed the document from the doctors at the New England Medical Center, which was the hospital that we insisted Chief Goyette go to for his examination, after reviewing that information, after reviewing the testimony of the doctor who was in charge of that case, there is no question in my mind that this case should be settled. There is no question in my mind that Robert Goyette is due his pension.

There is now no question in my mind that Chief Goyette's illness was a result of his employment in the Town of Southborough. There is no question in my mind now that I do not believe Robert Goyette had hypertension when he came to the Town of Southborough, and I therefore recommend that we settle."

Town Counsel stated that he believes that there is a legal basis for the payment of the money as specified in his letter and a possibility and probability of a victory for Chief Goyette if he pursued remedies without a settlement. Selectmen Cipriano asked Town Counsel what provisions have been made to have the money which was loaned to Chief Goyette put back into the Trust Fund. Town Counsel informed him that two checks will be drawn - one made to Robert A. Goyette and another check made out to Robert A. Goyette and the Town of Southborough. He will endorse the check. Over his signature, Town Counsel will issue the release of liability to the Town. That check will immediately go back to the Trust Fund. The Selectmen set a fair rate of interest at 12 per cent which will come to \$20.00 on the loan to Robert A. Goyette.

MOTION by Selectmen Cipriano: I move that the Town of Southborough by way of the Board of Selectmen pay Mr. Goyette the sum of \$1,735.00 as payment of full settlement and judgment of the suit relative to Mr. Goyette v. Town of Southborough conditional upon the return to the Town of Southborough of the principle sum of \$1,000 together with interest of \$20.00 for a sum of \$1,020 which is to be redeposited into the Waldo B. Fay Trust Fund. (seconded by Selectman Satterfield)

Discussion: Chairman McAuliffe stated that ~~Chief Goyette realized~~ <sup>that this was a loan</sup> & Chief Goyette realized that there would be interest on this loan and that he had every intention of repaying this particular loan.

VOTE: UNANIMOUS

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(3) SCHEDULED APPOINTMENT:

6:15 p.m. Request #1 by Joseph W. Allen, III, Attorney (present) to representing Worcester County National Bank. Chairman 6:22 p.m. McAuliffe read 4/14/82 letter from Attorney Allen which explained that his bank has taken assignment of the Alcoholic Beverage license held by Rt. 9 Beer & Wine, Inc. located on 349 Turnpike Road. This assignment is for the purpose of securing a loan made by the bank to Rt. 9 Beer & Wine, Inc. Also Request #2 Board noted June 28, 1982 letter from Robert E. Cowden, III, Attorney for Rt. 9 Beer & Wine, Inc. requesting approval for the transfer of 10 shares of common stock of the corporation from James D. Comerford to his wife Joyce Comerford of the same address.

At this point, Selectman Cipriano stated that due to the fact that the Worcester County National Bank is part of the Shawmut Bank and his law firm counsels the same bank system, and therefore this is a conflict of interest, he cannot take part in any discussion. Selectman Cipriano left the room at this time.

Attorney Allen gave a brief presentation regarding his bank making a small business administration guaranteed loan to Rt. 9 Beer & Wine in November in order for Mr. Spinner to acquire this property from Texaco and convert it into its present operation. At the time the loan was made the license had not been issued although it had been applied for and had been approved by the Selectmen. The bank did not know whether or not Mr. Spinner would open in 1981 as he planned to open in 1982 to avoid paying the license for 1981. The loan is guaranteed by the Small Business Administration and one of the requirements is that the bank take the license by assignment as collateral security for the loan of \$90,000.00. He asked for the Board's approval for the assignment of the license for collateral purposes only. The Small Business Administration wants the bank to have this assignment and since they are guaranteeing the loan, this is the reason for this request. If the bank had to foreclose, it gives them a package they could sell. But of course, they would have to come back to the Selectmen as any transfer is subject to the approval of the Board of Selectmen.

MOTION BY Selectman Satterfield: to approve the two requests from both attorneys: from Attorney Allen as stated in his presentation (Motion seconded by Chairman McAuliffe) and from Attorney Cowden re transfer of stock

VOTE: Chairman McAuliffe and Selectman Satterfield in favor. Selectman Cipriano was not present and did not vote.

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(4) Massachusetts Electric Spraying:

Chairman McAuliffe read in its entirety July 6, 1982 letter from Massachusetts Electric informing the Board that the New England Power Company and/or Massachusetts Electric Company have scheduled Vegetation Management treatments on rights-of-way which pass through Southborough tentatively starting on August 2 and finishing August 20 in the area "156 Northborough Road-Framingham".

ACTION: Chairman McAuliffe:

Town Counsel has been instructed to carry out the same performance by Massachusetts Electric as we have required of Railroad Weed control.

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(5) SALE OF OLD FIRE STATION - 5 MAIN STREET:

Chairman McAuliffe read July 8 letter from Richard DeAngelis, Attorney for Angelo C. Baltas, stating that his client is not agreeable to entering into a lease with an option to buy arrangement as proposed at the Board's meeting on July 6, 1982, as he does not feel that he will be able to obtain the necessary financing unless he is the owner in fee simple of this real estate, and also Mr. Baltas entered into this process with the understanding that the property was to be sold not leased.

MOTION by Chairman Thomas W. McAuliffe:

I move that the Town of Southborough proceed to sell the old fire station as recommended by the Annual Town Meeting of 1981, Article 32, to Angelo C. Baltas for the sum of Thirty-five Thousand Dollars (\$35,000) subject to all conditions imposed

Motion by Selectman McAuliffe continued:

by letter of Jeffrey Grossman to Angelo C. Baltas dated June 11, 1982 and Baltas' letter of reply of June 22, 1982; and further subject to all conditions, covenants and easements as will be proposed at a future date by Town Counsel; and further instruct Town Counsel to work in conjunction with Mr. Baltas' attorney, architect, and engineer in order to insure their performance in conjunction with Article 32 of the Annual Town Meeting of 1981 and to insure the proper implementation of the Southborough Fire Station's developers kit. (seconded by Selectman Cipriano)

Discussion: Selectman Cipriano was the proponent of the lease with option-to-buy vote of July 6, 1982 but was satisfied with tonight's vote as still having a good control via the proposed covenants, easements, etc.

VOTE: Unanimous

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6:46 p.m. VOTED to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

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MEMORANDUM

Tuesday, July 13, 1982 In the presence of Town Clerk's Staff Chairman Thomas W. McAuliffe drew three Traverse Jurors, as follows:

1. Mark Allen, 12 Pinecone Lane
2. Susanne S. Dumont, 15 Latisquama Road
3. Paul C. Croci, 154 Marlborough Road

*Surp*

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, July 20, 1982

Hearing Room

6:00 p.m. Present: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Selectman Denson Satterfield, Jr., Secretary Marjorie R. Putnam, members of the press: David Bresnahan of The Middlesex News and Patricia Capone of the Southborough Villager; and the Building Inspector Edgar A. Phaneuf, Jr.

TREASURY WARRANTS signed by the Board:

Fiscal 1981/1982:

Warrant #218	\$ 13,656.30
" #219	\$ 26,113.44
" #220	\$ 10,564.97
" #221	\$ 508.00
" #222	\$ 9,970.88

Fiscal 1982/1983:

Warrant # 8	\$ 30,458.40	Warrant # 13	\$ 22,197.51
" # 9	\$274,000.00	" # 14	\$198,508.42
" #10	\$ 31,440.00	" # 15	\$ 36,968.58
" #11	\$ 19,844.59	" # 16	\$ 6,870.14
" #12	\$ 11,206.37		

Revenue Sharing: Fiscal 1982/1983:

Warrant #2	\$ 1,956.64
" #3	\$ 1,544.65
" #4	\$ 28.50

PERMITS GRANTED:

1. Site Plan Approved for Ralph and Isabel Munzert re property located at 353/355 Turnpike Road. (For further details see 6:00 p.m. appointment.)

2. Zoning By-Law Permits granted to (1) Ray Ante to build a single family dwelling at 59 Woodland Road (30-9), and (2) W. Hampton Smith to build a single family dwelling at 67 Breakneck Hill Rd. (21-14).

APPOINTMENT:

Janet S. DeNapoli, 19 Blackthorn Drive, as Special Municipal Employee (as Advisory Committee member under the provisions of Chapter 268A, Sections 1 & 17 of the M.G.L.) her term to expire in May 1984.  
UNANIMOUS VOTE.

CONTRACT SIGNED:

Board signed in duplicate, contract to document the agreement between the Town and the Mental Health Association, Marlborough-Westborough Area, Inc. relative to services to be provided in exchange for the financial support of the Town. (Article 28 Annual Town Meeting 1982).

SCHEDULED MEETING:

6:00 p.m. Site Plan Hearing on the application of Ralph and to and Isabel Munzert of 16 Walnut Drive, Fayville, 6:10 p.m. requesting to move office to existing enclosed porch in residence and to lease existing office to a tire business for sales and service at property located at 353/355 Turnpike Road. Mr. & Mrs. Munzert (applicants) and Building Inspector Phaneuf were present. (The following is a transcription of the Site Plan Hearing.)

Ch. McAuliffe: Mr. Munzert, would you like to come forward and give us a brief description of what you plan to do. I have a copy of your floor plan here.

Ralph Munzert: There is an office right here on the end. They will probably have about four to six cars selling tires and changing. No service other than mounting tires. The office over here in the enclosed porch with a roof. What I want to do is stud it off and make it a small office. That is about all I want to do.

Ch. McAuliffe: Can you tell me about the storage of tires?

R. Munzert: United Tire, when they close at the end of the day will take the old tires back to Framingham and Lowell area. There will be no tires stored outside. Just the new ones on display inside. Every day when they close, they close in the back of the truck. United Tire is out of Lowell. They have an office in Framingham and one in Holliston.

Selectman Cipriano: They are going to be selling new tires out of this location?

R. Munzert: Yes

Sel. Cipriano: How is that going to affect the makeup of your existing business? Are you going to be reorganizing where your business is going to be located on the site?

R. Munzert: No. They are just going to use my office space and we have four bays...

Sel. Cipriano: On this particular sketch there is a statement "Proposed flamable liquid storage - underground". Is this something you are going to be putting in?

R. Munzert: That is already in. Those are in the ground and are licensed (issued by Board of Selectmen 6/1/82).

Sel. Cipriano: Has notice been given to the abutters?

Mrs. Isabel Munzert: Yes, by certified mail. I have only two receipts; the one from New York has not been returned yet. (Mrs. Munzert presented two green certified receipts to Ch. McAuliffe.)

(Transcription of Munzert Site Plan Hearing continued):

Sel. Cipriano: Do you have proof of at least sending the notice?

Mrs. Munzert: I left the White Certified Mail receipts at home.

Sel. Cipriano: Would you get a copy to the office of the Selectmen to have on record for proof of the mailing of the notice?

Mrs. Munzert: Yes.

Sel. Cipriano: How did you determine they were the abutters? Did you get a list?

Mrs. Munzert: Yes, from the Assessors.

(Ch. McAuliffe noted certified list of abutters received from the Board of Assessors.)

Sel. Cipriano: Does our Building Inspector tell us that it is in complete zoning compliance?

Building Inspector Edgar A. Phaneuf, Jr.: Yes, I made an inspection of the site. Mr. Munzert told me exactly what he wanted to do. I went over it with him. I have no problem with the plan.

Sel. Satterfield: I visited the site. I have no problem with it all.

Ch. McAuliffe: Are there any questions from the audience? Since there are no questions, I will entertain a motion.

Sel. Cipriano: I move that the Site Plan of Ralph and Isabel Munzert of 16 Walnut Drive, Fayville, Massachusetts, before this Board's consideration, be and is hereby approved according to the representations and sketch as presented to the Board tonight.

Sel. Satterfield: Seconded.

Ch. McAuliffe: Any discussion? Hearing none, all in favor say Aye. UNANIMOUS VOICE VOTE. So be it.

(END OF TRANSCRIPTION)

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CORRESPONDENCE NOTED AND ACTED UPON BY THE BOARD:

July 8, 1982 letter from Frank Rossi, owner of White's Corner Restaurant, Inc., 154 Turnpike Road stating facts that would have adverse affects on his current and proposed future business if the median were closed at Rt. 9 and Break Neck Hill/White Bagley Roads. Selectman Cipriano stated: "In that this matter is pending before the State Engineers in Boston, in that they are compiling additional information in which to make their decision relative to the status of both Middle Road and White Bagley Road, I request if we haven't done so already, to refer a copy of Mr. Rossi's letter to Justin Radlo, Chief Engineer in Boston and make him aware of some new information relative to the area,

and further that a copy be sent to Representative Navin who is working on our behalf on that project of keeping them open."

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July 15, 1982 letter from Police Chief William D. Baker attaching June 1982, Monthly Incident Report.

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6:17 p.m. UNANIMOUS VOICE VOTE to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

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MINUTES OF MEETING  
BOARD OF SELECTMEN

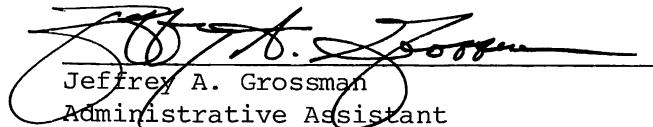
Friday, July 23, 1982

Meeting was held to interview candidates for police officer position. Present were: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Selectman Denson L. Satterfield, Jr., Administrative Assistant Jeffrey A. Grossman, and members of the press (David Bresnahan of Middlesex News and Patricia Capone of Southborough Villager).

2:00 p.m. Board interviewed Jane F. O'Leary, 36 Sherbrook Avenue, Worcester, MA.  
2:20 p.m. Board interviewed Frank W. Cain, Jr., 141 Southville Rd., Southborough.  
2:50 p.m. Board interviewed John R. Sullivan, 217 East Street, Lexington, MA.

Board VOTED unanimously to schedule a meeting for Tuesday, July 27, 1982, at 7:30 p.m. in the Town House Hearing Room to announce the selection of police officer.

VOTED: to adjourn at 3:15 p.m.

  
Jeffrey A. Grossman  
Administrative Assistant

jag/mrp

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, July 27, 1982

Conference Room A

7:30 p.m. Meeting convened. Present: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Selectman Denson L. Satterfield, Jr. Secretary Marjorie Putnam, Police Chief William D. Baker, members of the press: David Bresnahan of Middlesex News and Jean Bigelow of Southborough Villager, and one interested citizen Lorraine Keller.

TREASURY WARRANTS SIGNED BY THE BOARD:

Warrant	#17	\$	36,870.97
"	#18	\$	354,000.00
"	#19	\$	9,887.96
"	#20	\$	37,417.45
"	#21	\$	35,704.55
"	# 5	\$	57.00      REVENUE SHARING

RESIGNATION RECEIVED:

Effective 7/26/82 Madelyn Guzzi resigned from the Southborough Youth Commission. ACTION: Ask the Commission if they have any recommendation regarding who it would like to fill this vacancy. Letter to go to Mrs. Guzzi thanking her for her time and service she has given to the community.

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APPOINTMENT MADE: Frank W. Cain, Jr., 141 Southville Road, Southboro MA as a REGULAR OFFICER IN THE SOUTHBOROUGH POLICE DEPARTMENT..... Chairman McAuliffe announced that tonight's meeting was called for the selection of a police officer to fill the vacancy created by the resignation of William Harpster. Police Chief Baker and Administrative Assistant Grossman (absent tonight) were publicly thanked for a job well done. They spent a considerable amount of time reviewing the applications, followed the Board's instructions, to bring the Board to the point of making the final decision as to who shall fill that spot.

Selectman Cipriano: Based upon the comprehensive review of the application documents as submitted to us; further, based upon the answers to questions and statements as to positions posed to the candidates, I feel that Frank W. Cain appears to qualify as the best of the three candidates, and therefore, I MOVE that Frank W. Cain, Jr of 141 Southville Road, Southborough, be and is hereby appointed police officer for the Town of Southborough pursuant to a 1982 Annual Town Meeting vote authorizing the funding of an additional policeman.

This appointment is subject to his successful completion of the designated Massachusetts State Police Academy training; further subject to Mr. Cain's successful completion of a physical examination and fitness program as specified and established by the Police Chief; and finally, subject to any and all requirements of local, State and Federal law.  
MOTION was seconded by Selectman Denson L. Satterfield, Jr.

DISCUSSION:

Selectman Satterfield: The Chief chose excellent applicants. I was impressed with all three. One individual had somewhat greater qualifications. Of the three, only one has a bachelor's degree in criminal justice with a comprehensive background in law enforcement. Mr. Cain is a long time resident of Southborough. No special training will be needed to learning the Town. Competence comes from experience. I checked references, not the ones he listed but other people. I received very positive comments regarding his moral character. For the best interest of the town and the department, I approve the selection of Mr. Cain.

THERE WAS NO FURTHER DISCUSSION.

VOTE: Selectman Cipriano: AYE  
Selectman Satterfield: AYE  
(Chairman McAuliffe did not vote on this appointment.)

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DISCUSSION regarding property located at 90 Turnpike/2 Woodland Road:

Chairman McAuliffe stated that as a result of a question brought before the Board last week regarding property owned by Hugh Dalzell, the Building Inspector Edgar A. Phaneuf, Jr. and Ch. McAuliffe inspected the property in question on the 22nd or 23rd of July with the permission of Mr. Dalzell's attorney. Mr. Dalzell was on the premises when they arrived. The Building Inspector and Chairman McAuliffe toured the building, the upstairs, the downstairs, the whole structure. They found no violations that would fall under the jurisdiction of the Zoning By-Law of the Board of Selectmen. At that time, Chairman McAuliffe questioned Mr. Dalzell as to granting permission to Building Inspector Phaneuf and Chairman McAuliffe to also inspect the property which is located further down on Route 9, specifically the motel units. Mr. Dalzell said he would be most happy to allow them to go in there at any time but first needed to inform the people who live there that Building Inspector Phaneuf and Chairman McAuliffe would like to inspect the premises. Chairman McAuliffe said he would set up a date with Mr. Dalzell and together with Building Inspector Phaneuf, put this on the agenda..

Selectman Cipriano: questioned the sewage disposal system status.

Chairman McAuliffe stated that Mr. Dalzell has a very old toilet on the premises. However, it does work. The upstairs portion of the building has a desk, three chairs and a couch that did not fold in or fold out.

Lorraine Keller questioned the Board as to the matter of a site plan hearing, and under what authority is Mr. Dalzell running his business. Chairman McAuliffe is running his business under a Class II License.

END OF DISCUSSION ON THIS MATTER.

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Selectmen would like Town Counsel to check into the minimum wage law to see if it pertains to the Town of Southborough.

7:45 p.m. VOTED unanimously to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

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MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, August 3, 1982

Hearing Room

7:30 p.m. Selectmen convened the meeting. Present were: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Selectman Denison L. Satterfield, Jr., Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie Putnam, members of the press, Highway Superintendent John W. Boland, Dog Officer Charles F. Hamel and other interested citizens.

TREASURY WARRANTS signed by the Board:

#22	in the amount of	\$ 20,426.45	#25	in the amount of	\$ 58,974.58
#23	" " "	\$ 351,000.00	# 6	" " "	\$ 28.50
#24	" " "	\$ 6,468.45			Rev. Shar.

PERMITS GRANTED:

Zoning By-Law Permits UPDATED for William N. Davis III, Trustee of Stony Brook Realty Trust, 9 Clifford Road, Southborough, to build a single family dwelling at Lot 3 (51-10A), House No. 10 Lynbrook Rd. Lot 4 (51-10B), House No. 12 Lynbrook Rd. These have been updated from 6/22/79 and 10/30/80.

Zoning By-Law Permit granted to Howard H. Stevenson to build a single family dwelling at Lot No. 64-5, House No 39 Sears Rd.

Temporary Sign Permit was renewed for another thirty days for Mitchell J. Sthika, Jr. d/b/a/ Muley's Food & Spirits, 1 Southville Road. This approval is conditional upon notification to the Board of Selectmen as to the approximate date that the permanent sign will be installed. (Motion by Selectman Cipriano, seconded by Selectman Satterfield )

LICENSE GRANTED:

Special License granted to Charles E. LaHaye, 69 School Street, Southborough, to sell wine and malt beverages at wedding reception at St. Anne's Hall, Boston Road, on Sunday August 29, 1982 from 4 p.m. to 8 p.m.

APPOINTMENT:

Hold put on request to appoint Jennifer A. Bishop as Assistant Treasurer/Deputy Collector. (See appointment scheduled for 8:50 pm for further details.)

CONTRACTS AWARDED:

As per August 3, 1982 letter of recommendation from Highway Superintendent John W. Boland, Selectman Cipriano made a MOTION to award the contracts for various road materials to the following companies (Motion seconded by Selectman Satterfield):

<u>Company</u>	<u>Materials</u>
Pyne Sand & Stone Company, Inc.	Various aggregates, cold mix pavement and bituminous cold patch
John J. Hudson, Inc.	Cutback asphalt
All States Asphalt, Inc.	Asphalt emulsion, stone seal and sand seal
T.S.M., Inc.	Reflectorized pavement marking
E.C. Murray ConstructionCo. Inc.	Bituminous concrete top & binder (in place) and placing cold mix pavement
Baker Fence, Inc.	Steel Beam highway guard
Trimount Bituminous Products Co.	Bituminous concrete top & binder (at plant) and bituminous cold patch

The above were the low bidders. Bids were opened on July 20, 1982 MOTION CARRIED.

John Boland said the catch basin cleaning bids and the uniform service bids should be rejected as none of them conformed to the specifications. Board voted to reject said bids.

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SCHEDULED MEETINGS:

7:30 p.m. Dog Hearing: William L. Zolli, Jr. v. James P. Lawless  
to Present: William L. Zolli, Jr., James P. Lawless,  
7:48 p.m. Dog Officer Charles F. Hamel.

Chairman McAuliffe swore in Mr. Zolli and Mr. Lawless. Chairman McAuliffe read original letter of complaint from William L. Zolli, Jr. dated February 8, 1982; and Dog Officer Hamel's Report received July 26, 1982. TRANSCRIPTION FROM TAPES:

Ch. McAuliffe: Next on the agenda is a dog hearing Zolli vs. Lawless. I will ask that any individual who intends to testify at this hearing to stand and they will have to take an oath. After taking the oath, the Board will listen to Mr. Zolli. If the Board has any questions of Mr. Zolli then they will question Mr. Zolli. I will then call on Mr. Lawless to make his statement. If there are any questions from the Board, Mr. Lawless will be allowed to respond. If those individuals who are going to testify this evening if they will stand and raise their right hand. Do you promise to tell the truth, the whole truth, so help you God?

Answer: I do.

Ch. McAuliffe: Let the record show that Mr. Lawless and Mr. Zolli have been sworn in. I have a letter dated February 8, 1982 addressed to the Board of Selectmen:

I wish to request that some action be taken to restrain the dog owned by the Lawlesses of Richards Road. This dog is frequently allowed to run free, contrary to Southborough's leash law. When I walk my dog (on a leash) on Richards Road, we are frequently harrassed by the Lawlesses' dog, which comes out into the road barking and has even followed us into the Mary E. Finn schoolyard.

This upsets me because the Lawlesses' dog is about three times as big as my dog. If the two got into a fight (they are both males), nobody would be able to separate them, and my dog would almost surely be killed. Our family has already lost one small dog in this way. I fear for my dog's life because the Lawlesses refuse to keep their dog tied up. I have made numerous complaints to the dog officer, but every time he goes to their house, the dog is tied.

I hope that a formal hearing will not be necessary, but something must be done.

Sincerely,  
/s/ William L. Zolli, Jr.

I have a report here from Charles F. Hamel, the Dog Officer, addressed to the Selectmen, Town of Southborough:

"Re: Complaint - William Zolli vs. James Lawless.  
Subject: Harassment by Dog owned by Mr. Lawless.  
First complaint from Mr. Zolli came on 8-17-81. Dog loose and followed him while walking his dog on leash. (No bite or attack.)  
Next complaint came on 8-25-81. Lawless dog loose between 3 & 4 p.m. in school yard.  
In both these complaints I notified Lawless of the problem.  
On 12-28-81 I issued a Court Complaint. Ticket to Mr. Lawless - loose and uncontrolled dog.  
On 12-13 -81 Complaint by a jogger - dog nuisance only - notified Mr. Lawless.  
On 12-17-81 Complaint by Mr. Zolli on Lawless but requested me not to call on Mr. Lawless. (I called anyway)  
Mr. Zolli has been informed by me as to the problem of ticketing for Court Fines. (I must see a violation or no ticket.)  
No further complaints - so I assumed problem had been resolved.

Respectfully,  
/s/ Charles F. Hamel"

Mr. Zolli, would you like to state your case now to the Board.

William L. Zolli Jr.: Like I said in the letter that you read, the dog runs free. Since the information that you just read, it seems to me that I made another complaint because Mr. Lawless and I,

What I am

I believe had agreed that the dog would be kept in during certain hours of the evening. It turned out that <sup>even</sup> during those hours I was being <sup>by the dog</sup> bothered. What I am requesting is that the dog be required to be restrained for as many hours of the day as can be done. The problem with the previous agreement, was that if I didn't want to be attacked by their dog, I had to walk my dog during a few hours of the evening. I would like to have the freedom to walk my dog whenever I want. That is basically what I am asking to be done.

James Lawless: Mr. Zolli ought to get his facts straight. Number one: I don't own a dog. The dog is registered to my son. I am here representing my son this evening. I don't own the dog. At one time Mr. Hamel issued me a citation for the dog being loose. Evidently the kids from the school let the dog loose. I paid the fine. The dog is not a vicious dog. I run a business out of my house. I would not have a vicious dog as I have small children coming into that store. The dog is not a vicious dog. Evidently, Mr. Zolli at one time or another has harmed that dog or thrown stones or something at it. He is the only person that the dog barks at. You could go down to that house right now, the dog is chained, he won't even bark at you. The dog is a gentle dog. The only time that the dog is loose is when I am there. The kids let him loose from the school yard.

Selectman Cipriano: Mr. Lawless, you have specified that Mr. Zolli may have harmed the dog or thrown stones at the dog. What is the basis for that statement?

James Lawless: The basis for that is like I said. He is the only person the dog barks at.

Selectman Cipriano: How does that - am I to concur that he throws stones at the dog?

James Lawless: I don't know what happened between the dog and Mr. Zolli. But anybody else could walk into that yard, the dog isn't even a watch dog.

Selectman Cipriano: We are not really sure whether or not he has actually harmed the dog.

James Lawless: I am not sure. That's my assumption, because he is the only one he barks at.

Selectman Cipriano: Okay.

Selectman Satterfield: What kind of a dog is it?

Lawless: It is a shepherd and golden retriever. Crossbreed.

Zolli: It is a mutt, some kind of a terrier.

Selectman Satterfield: Maybe 20 pounds?

Zolli: Yes.

Selectman Satterfield: Mr. Lawless, yours would be about 60,70 or 80 pounds?

Lawless: About 80.

Ch. McAuliffe: Mr. Lawless, the dog is owned by your son. Was it formerly owned by you?

Lawless: It was when it was first registered, then it was

transferred to my son.

Ch. McAuliffe: The dog is upon your property?

Lawless: It is on my property. The dog resides on my property.

Zolli: I would just like to say, the Lawlesses dog is barking at my dog, not at me.

Ch. McAuliffe: What time do you usually walk your dog?

Zolli: It is very hard to say. Generally during the evening.

Ch. McAuliffe: At the time you walk the dog, is Mr. Lawless' dog loose or is he loose sometimes or restrained sometimes?

Zolli: Usually restrained.

Selectman Satterfield: Has the dog done anything but bark, has it ever approached your dog like he was going to do you harm?

Zolli: About three or four times I actually had to pick my dog up and carry it away..

Selectman Satterfield: Because it looked like he was going to attack?

Zolli : Yes. Only once did they actually make contact with each other. I can't say that their dog would do anything to mine.

Ch. McAuliffe: Mr. Hamel, I read the report that you furnished the Selectmen's office prior to your arrival. Do you have anything to add at this point in addition to what was in your report, or do you have any statement you would like to make at this particular time?

Dog Officer Charles F. Hamel: The only thing I have to say is the law of the Town says control at all times, 24 hours a day. If the dog is loose and it is on Mr. Lawless' property and if it decides to take off, then somebody should be there to control it. Other than that, the question of whether the dog is being walked past Mr. Lawless' house at certain times any time in the evening, he has the right to walk his dog anywhere he wants. There are other directions that he could go in, but that is not for me to say. If he insists he is going to walk past that house and the dog is loose, it is up to Mr. Lawless to control the dog. It doesn't mean he has to be restrained at all times.

Ch. McAuliffe: Dog complaints that have reached this Board have been numerous in the past. They can become very emotional and neighbors are pitted against one another and it becomes a difficult decision. In a majority of cases the Board of Selectmen end up damned if they do and damned if they don't. So what I would like to suggest at this point in the hearing is for Mr. Zolli and Mr. Lawless as they are relatively close neighbors, if they could get together and discuss this problem and come to some type of mutual agreement between themselves. If they, in fact, cannot do this, then what I would like to suggest then is that within a specified period of time then this Board could make a final

determination. Do you have any objections either one of you to going out and discussing your problem between the two of you and see if you can't come to a satisfactory solution and if not, or if another complaint is brought forth before this Board within a 30 day period, then this Board could make a final decision on this case.

Selectman Cipriano: Or additionally you could continue the hearing within 30 days with no finding by the Board and have both parties come in.

Lawless: Could I ask Mr. Zolli a question? When is the last time the dog was loose?

Zolli: A while ago.

Lawless: A while ago, was it yesterday or two weeks ago, or three weeks ago?

Zolli: Probably it has been a couple of months.

Lawless: What I have been doing since I received your letter from you people, I believe it was around the last of June sometime, I have been letting the dog loose with me in the yard only. He'll go for a run, he goes out in the woods to do his duties and he is tied up again. I normally get home between 5 and 6 p.m. That is when he is loose. If I am home on Saturdays, he is loose all day as long as I am in the yard.

Ch. McAuliffe: That would seem to be an acceptable solution to the problem and may I suggest to the Board then that we consider continuing this hearing for 30 days. If in fact, we have additional complaints, then we will reconvene.

Selectman Cipriano: And we would call them back to determine just how well they are doing amongst yourselves?

James Lawless: I would like to suggest that you call my son, because I do have a business to run and I also work during the day.

Ch. McAuliffe: What I would like to suggest is that if we, in fact, at the end of 30 days if we have had no complaints I see no reason to call both of them back in. I would assume that things have been ironed out, and at the end of the 30 days we will dismiss the charges without a finding. If that is agreeable to both of you gentlemen, I will then entertain a motion to that effect.

Zolli and Lawless: It is agreeable.

Selectman Cipriano: So moved, Mr. Chairman.

Selectman Satterfield: Seconded.

Ch. McAuliffe: Any further discussion? Hearing none. All in favor say Aye. So be it.

7:48 p.m. Dog Hearing ended.

VOTE: to continue the dog hearing of Zolli v. Lawless for thirty days. The hearing shall be convened if a further complaint is received by the Board of Selectmen within thirty days. If no further complaint is received prior to the expiration of

the thirty days, the charges shall be dismissed without a finding.

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8:00 p.m. Meeting with Jill Charnley Grice, 92 Newton Street to regarding the Pound Seizure Law (C. 49A M.G.L.) and 8:45 p.m. the Repeal Bill of this law. Ms. Grice stated the new Bill number is 6539 and is coming up for the third reading in the Senate. Hopefully the Governor will sign it. This bill is against using pound animals for research. Ms. Grice read her presentation dated May 26. Ch. McAuliffe read Dog Officer Hamel's June 3, 1982 letter to the Board stating his views regarding this matter. Ms. Grice maintains that the research people like Harvard Primate in Southborough can use laboratory-bred animals for research and do not need to use someone's abandoned pets. Laboratory-bred animals provide a quality research subject with known genetic and medical histories. Massachusetts is one of only six states left in the United States that still has the Pound Seizure Law in effect. David Bresnahan of the Middlesex News researched this matter and called Dr. Hunt at Harvard Medical Center in Southborough. Dr. Hunt told him that it was much more expensive to buy lab-bred animals and it was more economic to use pound animals. The Medical Center does not need or require genetically bred animals. Their only source of animals is pound animals and they use them to train students. The Selectmen were sympathetic with Ms. Grice's cause but at this point the Bill is in the State Government's hands. If the Bill is defeated, then possibly the matter can go to a Town Meeting Vote. At present the Board can only wait to see what happens to this Bill. The Board then VOTED to take this matter under advisement.

8:50 p.m. Meeting with Treasurer/Collector Mary B. Guilford to regarding her letter of July 29, 1982 stating she 8:59 p.m. would like to appoint with the Board's approval, Jennifer A. Bishop as Assistant Treasurer/Deputy Collector at Grade 10, Step 4, effective immediately. Mrs. Guilford stated that the primary problem is that in the case of a disaster, someone is needed to sign checks, if necessary. Also there is no one in charge to allow Mrs. Guilford to take a vacation at any long distance. In the past, vacations and illness times were filled in by herself (the Financial Clerk) and another person. No additional compensation was granted by the Personnel Board causing some dissension. The staff also was never fully trained to take over properly during any absence of the Treasurer/Collector. Mrs. Guilford feels this is an explosive situation and should be corrected as soon as possible. At this point, Mrs. Guilford has accelerated Mrs. Bishop's training.

VOTE: To take this matter under advisement and hope to make a decision next week.

CORRESPONDENCE NOTED AND ACTED UPON:

7/28/82 Notice from Central Massachusetts Mosquito Control Project listing spraying dates for the month of August (Ultra-Low Volumne spray operation). At this point, Lorraine Keller, 87 Turnpike Road, Fayville questioned the effectiveness of the Project. Administrative Assistant Grossman is to check with the Board of Health for this information.

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7/28/82 submission of July 1982 Radar Assignments and Speeding Citations from Sgt. Danny R. Chernewski, Southborough Police Department.

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NEW BUSINESS:

Selectman Cipriano stated that several residents have complained to him of a problem on Parkerville Road this past weekend - on town-owned land near Route 30. The person utilizing this land for harvesting is spreading manure and the odor is quite offensive and also there is a bad problem of flies from this land. They have complained to the Board of Health but want to know how this problem can be resolved. Selectmen asked Administrative Assistant to investigate the complaint and report back to the Board.

Mrs. Keller asked if Mr. Grossman had received the newest book on hazardous waste listing hazardous chemicals. Mr. Grossman said that he believes Fire Chief Brock has it. Mrs. Keller suggested that all of the public safety people should have this book with them at all times. Selectmen will look into this.

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9:05 p.m. VOTED: to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, August 17, 1982

6:00 P.M. Meeting convened in the Hearing Room. Present were: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Selectman Denson L. Satterfield, Jr., Secretary Marjorie Putnam, Highway Superintendent John W. Boland, Jr., Jean Bigelow, (Southborough Villager) and David Bresnahan (Middlesex News), and other interested citizens.

TREASURY WARRANTS SIGNED BY THE BOARD:

#31	\$	22,851.36	#34	\$	14,054.76	
#32	\$	505,000.00	#9	\$	1,596.97	Revenue Sharing
#33	\$	7,126.12	#10	\$	35.63	

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PERMITS GRANTED:

30-day Temporary Storage Trailer Permit renewals granted to Hugh M. Dalzell for two trailers at 90 Turnpike Road. VOTE: Chairman McAuliffe =for; Selectman Satterfield = for; Selectman Cipriano = Against. MOTION CARRIED.

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LICENSE GRANTED:

Special License granted to Southborough Men's Softball League c/o Angelo Bertonazzi, President, for the sale of wines and malt beverages at Tournament at Choate Field, Cordaville Road on August 21, 1982 from 10 a.m. to 10 p.m. and on Sunday August 22, 1982 from 12 noon to 10 p.m.

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APPOINTMENT:

Regarding the 8/3/82 request of Mrs. Guilford, Treasurer/Collector, to appoint Jennifer A. Bishop as Assistant Treasurer/Deputy Collector, Selectman Cipriano asked for an additional week to make a decision on this matter. So VOTED by the Board.

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SCHEDULED APPOINTMENTS:

NEW ENGLAND TELEPHONE Co.

6:00 pm Meeting on the Petition and Plan No. 217918 dated 6/16/82 by  
to requesting permission to lay and maintain underground conduits  
6:30 pm and manholes, under the surface of the following public ways:

Woodland Road - southwesterly side at a point approximately 71 feet

southerly of Route 9, Turnpike Road, 1 manhole; from proposed manhole (W1) which is approximately 71 feet south of Route 9, easterly across Woodland Road, thence northerly on and along the easterly side of the traveled way to existing MH361 located on the eastbound land of Route 9, for approximately 130 feet of conduit;

Central Street - from existing MH361, northerly across Route 9, on and along the westerly side of Central Street to existing P184 for approximately 345 feet of conduit;

Oak Hill Road - from existing MH361R, southerly across Route 9 thence on and along the easterly side of Oak Hill Road to existing P1 for approximately 175 feet of conduit;

Route 9 - from MH361R, at the junction of Woodland Road, northerly across the traveled way thence easterly on and along the traveled way to existing P38 for approximately 199 feet of conduit;

Total amount of conduit to be placed: approximately 849 feet and one manhole.

Present for the New England Telephone was Wesley E. Wallace, O.P. Supv. Right of Way. Highway Superintendent John W. Boland Jr., was present.

Mr. Wallace's presentation: The purpose of this petition is that the Telephone Company wants to take down all the overhead cables at the intersection of Oak Hill Road/Central Street and Route 9. Also the New England Telephone wants to install on the property of the Metropolitan District Commission on Woodland Road, 71 feet south of Route 9, what is called a service area cabinet. The purpose of the cabinet is a line multiplier giving the telephone company more flexibility and is time and cost saving in that New England Telephone will do away with many miles of copper wire from the central office. If somebody moves from Woodland Road to Central Street - just by crosswiring in the service area, they can have the same line. This plan and route has been checked by Mr. Donnelly from the DPW in Worcester, Mr. Peterson of the Metropolitan District Commission, and with Highway Superintendent John Boland. The reason the New England Telephone asked for this special meeting tonight is that most of the resurfacing plants which supply the materials close around November 15. This work will be done under the supervision of Highway Superintendent John Boland. The contract has been awarded and the contractor (Vincent) is a very reputable company. They have all the necessary bonds, insurance, liability and performance bonds. In the contract are all the necessary allowances for police protection and barriers of any kind. The companies in the area such as the Volvo company and the gas station, etc. will not be shut off at any time completely. There may be a little rerouting of the traffic as is designated by Police Chief Baker. This corner will be improved considerably when all the cables are taken down and placed into the conduit. There will be no added expense to any people on Woodland Road, Oak Hill Road or Central Street. This work is all being done within the budget of the telephone company. There will be no increased costs or assessments to any individuals. Mr. Wallace confirmed that the conduit will be placed on the east

side of Central Street. The plan should not have been marked with a red line on the west side. The east side is the correct side. When the telephone company pass by a house or business they have steel plates for access. Fifty feet at a time will be opened and it will be backfilled, the conduit will be placed and necessary coverage, etc., and restorations.

Re: Conditions: Mr. Wallace asked if the Board wanted to list any at this time. Highway Superintendent Boland said it was not necessary at this time, that this can be handled at the time of granting of the Permit to Use, Open, Occupy, Obstruct or Occupy Public ways in the Town of Southborough which is granted by Highway Superintendent Boland and the Board of Selectmen. There will be a preconstruction meeting held with New England Telephone's engineer, Highway Superintendent Boland, the contractor and the Police Chief. The New England Telephone will restore the streets to its present condition or better. There is a great deal to be done in the preconstruction conference. Sidewalks will be replaced with new material.

Re: Commencement of project. New England Telephone would like Completion

to start almost immediately. New England Telephone has the "go ahead" from the M.D.C., from Mr. Peterson's office; also from Mr. Donnelly's office. Mr. Wallace estimated completion of the project from 2 to 3 weeks depending on certain variables such as a delicate signal system at the Fayville lights. New England Telephone believes it is a trip system by the weight of the vehicles that go over it to change the lights. If this system is disturbed in any way, which it could, the telephone company and the contractor will have to put in a whole new circuitry. Or if something should happen to a pipe which isn't marked out, or even the weather could either hasten or inhibit the installation, but the major part of the work would be done in about two or three weeks. Openings in front of businesses will be left open for fire, emergencies, deliveries, ambulance, police calls, anything which may be confronted in our daily lives. Highway Superintendent Boland said he would be supervising "to a certain extent inasmuch as it affects the permit that I will issue." The State will also have some jurisdiction on Rt. 9. Selectman Satterfield wanted to be assured that none of the businesses in the area will be adversely affected by the construction so as to lose any business. Highway Superintendent Boland said that such issues will have to be discussed, and a lot of police protection will be needed in that area. Stone walls will have to be watched as well as some shrubbery in the area. All these will be conditions as part of the permit Highway Superintendent Boland and the Board of Selectmen will be granting.

Mr. Wallace explained the reason why New England Telephone wants to bury cables at this intersection is that at the present time the poles are burdened with as much as they can handle now. Should the telephone company have to add any cable in the future, New England Telephone has made provisions as shown on the plan for a 12" duct structure going on the main line and perhaps it was an oversight years ago that more should have been put in at the time, because there is some A.T. & T. line going down towards Parkerville Road. That is what is marked there, and there are only so many cables that a pole

will stand. It is at the maximum right now. While the cabinet is being installed, New England Telephone feels that it should do an adequate job so that it won't have to come back in ten years or whenever. This should take care of the future. New England Telephone has very little trouble in servicing these lines due to the fact that they are concrete encased. It will provide flexibility, it will provide more lines whenever needed and as the technology of the telephone company increases, New England Telephone will be able to adequately handle all the new technology with the lines that are being proposed in this petition. This will give better service to the people in the area. Lines in the air can, of course, be fixed quickly but are also more vulnerable to lightning and automobile accidents. With underground conduit, New England Telephone has had very good success and would like to have more. In all new developments the lines are placed underground.

MOTION by Selectman Cipriano: I move that the petition for conduit location by New England Telephone and Telegraph Company dated June 16, 1982 be and is hereby approved subject to Mr. Wallace's assurances and representations on this date, specifically the location on the eastern side of Central Street of the conduit. (Selectman Satterfield seconded the Motion). No further discussion.

Vote: MOTION CARRIED. Selectmen signed the Order for Conduit Location.

#####

6:32 p.m. Meeting with Dennis Pedraza, Chairman of the Stony Brook Golf Course Study Committee (created under

7:10 p.m. Article 21 ATM 1982). Also present was a member of the Committee, Leonard E. Gorman. This meeting was scheduled to present a report to the Board of Selectmen by September 1, 1982 as mandated in Article 21 ATM 1982.

Mr. Pedraza explained that the main purpose of tonight's meeting is (1) to give a very preliminary report to the Board of Selectmen of some essential input and (2) to request a more clear definition of the scope of the Committee's responsibility. The first thing he wanted to report was the price Mr. Kallander, owner of the Golf Course, wanted and the condition of payment he will entertain. Mr. Kallander said he wanted \$200,000 and that he would like maybe 10 per cent down, the rest payable from ten to twenty years. He said he did not know whether or not there would be any interest charged on the unpaid balance. The day after the meeting with Mr. Kallander, he sent the Committee a letter saying that he would contemplate a payment according to surplus or profit. There was no elaboration of the details of this. This was just a suggestion. Mr. Kallander in the letter suggested that the committee contact his lawyer on Marlboro Road, Southborough who will have a leasing plan. It seems as though the bulk of the golfers come from Marlborough, Framingham and as far as Worcester.

Mr. Pedraza: If the Selectmen should decide that the committee should keep going with this study and go into further details,

especially of what are the outlays of money and the income of money and the possibility of having either profitable enterprise or a money-losing enterprise, we shall do so. Or perhaps the Selectmen might think that the facts provided to date are sufficient. If the Selectmen should decide that we should find more details and produce some kind of financial study like it was an enterprise, Mr. Pedraza would like to request an extension of the deadline of the final report to the Board of Selectmen which is due at the end of August. There is no time to do a more detailed intelligent report. After the committee met in August, they felt that a public meeting should be held so that the people of the town could express what they think of the future of the golf course. Mr. Kallander stated that he felt the Committee would be overstepping and outside the scope of its assignment. The Committee needs an authorization from the Selectmen or a definition of what are the outer boundaries. The Committee thinks the words in the Article of the Town Warrant are vague. Article states "....consider the future of Stony Brook Golf Course" and is very vague. Mr. Pedraza would like to hold a public meeting and advertise the same in several newspapers to try to find the scope. Mr. Pedraza stated he has complete information of the revenues and the expenses for the last ten years and a copy of the Internal Revenue Service Declaration as of 1981. The year 1981 was the best year that the golf course ever had. It has been operating for ten years and 1981 is the first time that it has showed a profit. The profit was \$8,013.67. Mr. Kallander and his wife worked there and they did not collect a salary because this is a partnership. If we keep going with the study, the committee plans to call golf courses to find out how much it takes to pay employees. A junior greeenkeeper - just his salary - is paid between \$16K and \$26K. In that case, there would be a loss. The golf course up to this point, in Mr. Pedraza's opinion, has not been a money-making enterprise. Mr. Kallander believes the increase in profits was due to more advertising. He believes that the golf course could be considered a public service such as the public library. Chairman McAuliffe said it was his understanding that one of the holes on that golf course is not on Mr. Kallander's property. Mr. Pedraza said that is correct. One of the holes (Hole #2) belongs to his son. Mr. Kallander said this is true but he, or the town will build--that fact is not clear--another hole to leave Hole #2 out. This would cost \$8,000 to build.

Selectman Cipriano: "When Mr. Kallander offered the opportunity to the Town of Southborough to review possible future use of this property, I welcomed that opportunity\* for the Selectmen of the Town of Southborough and any fact-finding agency to be put in place to assess and determine what impact that particular property would have, depending on the type of proposed use. I did not anticipate, nor do I think, that the Town of Southborough in any way, shape or form, is going to get into the business of running a golf course. I think the future planning opportunities there are the primary concern what we have to assess and determine 'is that tract of land valuable to the Town of Southborough from a recreational standpoint or from a conservation standpoint or some other municipal purpose?' I really do appreciate the preliminary investigation that the committee has conducted so far and I think if we are going to send them back with a more concise

\* as a concern for the future well being of the community and a opportunity

sense of direction, that we do it to the extent of allowing them to cooperate with our office and our Administrative Assistant in determining whether or not it is a value to the Town of Southborough in that particular parcel of property for either conservation or recreation use or for whatever other use may be considered. Other than that, I don't see that we will get into the business of running a golf course through our municipal offices."

Mr. Pedraza: "Regarding the use, the land is under very stringent restrictions. The land cannot be used for anything other than pastures or agricultural purposes. It was considered that the golf course was kind of a pasture activity but it could be---I don't want to bias this report, but I should say what is going on ---the M.D.C. was fighting even the building of a storage building to put tools inside for three years. In 1981 they offered this after the legislature had to force the M.D.C. It is not just that you can have any other use."

Selectman Cipriano: I am aware of the restrictions that had been imposed upon property by the Metropolitan District Commission. Some of the conditions that the Town would be concerned about is that we wouldn't be really interested in that property if we could find a good municipal use if, in fact, we could somehow amend the restrictions. For example, it has been restricted for use as pasture land. If a decision is made by your body and the Board of Selectmen, and whatever other input has to come, that the only value to the Town of Southborough is that of a recreational area or a park or some type of municipal activity to service the people of our community and we could not get that amendment of restriction from the MDC - then the property would have no value to us. So we would go forward with finding the best municipal use that we could to determine the needs of our community, then further determine whether or not we could amend or change or modify those restrictions to meet our requirements. If all those things happen, plus the fact of getting either some type of funding or determine some reasonable price, then possibly we could go forward. Those are a lot of conditions and those are a lot of ifs. If any of those things were not accomplished then there would be no chance that the Town of Southborough would do this. The biggest concern I have right now is the astronomical figure that has been put on the property or the proposed purchased price. There is no way, in my estimation, the Town of Southborough would pay any way near that kind of money.

Selectman Satterfield: ...."My personal view is I would like you to go further. I don't know the propriety of your committee holding public hearings but I would like to see you do that to get more input because, frankly, from people who have spoken to me about it, I have received a very mixed bag of opinions. On the one hand, I was interested in the revenues increasing - perhaps by more people using the golf course, but by the same token - you know where the street comes down, comes onto Rt. 30 - I don't know if the thing could be made to pay - like say we doubled the patronage or tripled the patronage - with people going up there, I am not sure we could stand the accident rate there. I am not sure that the neighbors who have spoken to me now, they are very much concerned that something go in up there - whatever it is and I realize it is limited what could go in there - as to how much traffic would be increased up there. I have had people speak to me about the problem of parkers at night who go up there as it is not supervised at night. I guess it is not blocked off. All of these things would have an impact not only on the town, specifically if the town decides there was some

municipal use up there - whether conservation or whatever but particularly on the people in the area. I was present at the Town Meeting vote and I thought the sense of the vote would be a thorough study, an airing of views of the people of the Town and the neighborhood. I understand what Mr. Kallander is saying. I have to disagree with Selectman Cipriano a little bit in saying that or I wouldn't want to say at this time - no way would the Town run a golf course because our neighboring town is doing it and although they had a rough road for a few years, I guess it is working out and I can see what Mr. Kallander is saying, after all, you have a library down here and you have other things for the public good. I realize that not everybody plays golf, not everybody goes to the library either. So I am not sure that is the right approach, but I would like to see all the opinions inputted into the committee much as we had a fire station committee who thoroughly studied the issue, etc. and came to us with a recommendation. I am not saying we have to be bound by it. I had a sense at Town Meeting that the people wanted this committee to really delve into it. I must admit the price is shocking! Maybe the other things that can be talked about is the payment, surplus or profit...Perhaps we could nail that down a little, 10 per cent down and profit, if any, doesn't sound half as bad as \$200,000 all at once. My feeling is that I would like to see the Committee go further and frankly, right up to and including for them to hold hearings where interested people could come forward and state their views.

Chairman McAuliffe: What concerns me is (1) most assuredly is the price of that property, (2) what concerns me is that it is clear to me that with the exception of that golf course, that land can be utilized for nothing else with the exception of pasture land. Therefore, one might say or consider that that land is already in conservation since no building can be erected on it. There is nothing else that that land can be used for except pasture land. You cannot build on it because of the restrictions that are on that piece of property so therefore that property one might say is already conservation land, (3) through Mr. Kallander's own admission very few if any residents of the Town of Southborough presently use that particular facility. So it is a facility that is accommodating individuals who live outside the Town of Southborough.

Pedraza: (Interrupted) ..He didn't say that very few, if any, of Southborough. I want to correct that.

Chairman McAuliffe: (4) If the people in town are not utilizing that facility as it presently exists, why would they utilize it or why would they vote in favor of purchasing that property knowing full well the price of it, knowing full well that there would have to be an additional staff, salaries for additional staff to operate that particular piece of property. And (5) what concerns me is that narrow road. I can see major traffic problems on that road if, in fact, that piece of property were ever to be successful. So I see that as a major problem. I guess above all what I see especially in light of the restraints of 2½ and other important things, that I would doubt very much at this time that the Town of Southborough, regardless of the amount of work that you put into researching this particular piece of property would ever vote to purchase it. I just think that it is an effort in futility at the present time. That is not saying that some years down the road, some funding might not be available, etc. which might change my mind, but I do not see it as the right move for the Town of Southborough to make at this time. I think you and your committee have worked very hard on this. I, as one member of this Board, don't want to sit here and tell you to put in 40 or 50 or 60 hours knowing full well that I as one member of this Board would not

support it, if in fact your findings were to purchase this piece of property, I would oppose the Town purchasing this piece of property because I don't think it is a good investment for the Town of Southborough at this particular time. That is my open and honest feeling on this. If the Board wishes to have your committee go forward, then I certainly have no objections to it but I want to be up front with you in the beginning and I see too many drawbacks to the Town purchasing that piece of property. I don't want to send you on a mission which will take a lot of time.

Selectman Cipriano: The Board is in general consensus on our concern about the number of pitfalls that exist relative to this property. May I propose that before we take any further steps or ask the committee to take any further steps, that we determine a basis economic reality and that is that I think we all see that this is almost impossible for the town to purchase out of <sup>our</sup> monies something like that probably would not occur. I would agree with that. Maybe we should determine for our own administrative offices whether or not generally without applying for anything - there is any available money on a state or federal level. Because if there is not, then you are correct, Mr. Chairman, we are totally wasting our time because the Town of Southborough most probably will not purchase out of its own funds that particular piece of property. So maybe we should determine that by preliminary investigation for our own offices first if there is generally money available, further go ahead as proposed by Selectman Satterfield and get some community input. But if there is not, then really community input would be moot because even if they wanted it, we could not afford it.

Selectman Satterfield: I can't disagree with the excellent logic put forth but I still feel that as Selectmen we are the servants of the Town Meeting and the Town Meeting vote was clear.

Chairman McAuliffe: I think the committee right to this point has addressed the Article as it was written and submitted by Mr. Kallander that a committee was to be formed, to investigate and to report to the Selectmen. I think they have done that, done exactly what they were instructed to do. I don't want to send this committee out on something that, in my own heart, I know I can't support. And I am not sure that I could support the purchase of that land if there were Federal Funds available and I want to be up front on that. I just don't think that it is a wise investment whether it is our money or whether it is Federal money. I would still oppose it.

Selectman Cipriano: Could we determine whether or not there is funding available and maybe we could decide - if there is funding available, then we could get into more comprehensive investigation of what alternative uses could occur whether it be recreation or conservation use - and then determine just how difficult it is going to be to convince the M.D.C. of amending the restrictions.

Chairman McAuliffe: It took Mr. Kallander some five or six years to get a little building! That property is tied up.

Selectmen Satterfield: In light of all the wisdom poured on me here, I will concur with Selectman Cipriano.

William Dupont (from Oregon Road): ...Is there a hardship way that a building could be put up - any size building - to be able to run a golf course....Would that be a way out?

Chairman McAuliffe: It may be, but getting permission through the legislature would be a horse of a different color. I feel there is no way that that is going to happen. It took him five years to get approval to get a little shed.

William Dupont: Could Mr. Kallander go to the Board of Appeals?

Chairman McAuliffe: No

Selectman Cipriano: What you are suggesting, sir, is that the avenue of relief is the zoning avenue, and it's really not. It's a higher authority - a District Commission which has the ability to control the property and restrict it any way they want. It really has nothing to do with town zoning.

Mr. Dupont: I was just looking at this piece of property...and this is a nice piece of property and if the town can't afford to buy it... but if it could be kept in an environment that is beneficial to the Town of Southborough, and there is some other way to do it, then maybe that is what should be done.

Chairman McAuliffe: That is a good point. I point out that you already have one golf course in the Town of Southborough. Explain why we need two?

Mr. Dupont: We have no control over the golf course that is in town now. It is owned by the school. That is a nice golf course...A golf course is prettier than a cow pasture. I am not talking about the money. I am talking about what is best for the town.

Chairman McAuliffe: I suggest that we will get back to your committee and give you our direction one way or the other within a reasonable length of time. Jeffrey is already looking into seeing whether or not there are Federal funds available.

Selectman Cipriano: At this point the committee has done a very good job consolidating the information. We agree with you at this point there is nothing else that can be done until we give you more information.

Dennis Pedraza: I will give you this packet of information with the list of people we were planning to contact.

Len Gorman (Committee member):...about the access that is a huge problem and the parking - even if the place were perfect. I came down the street one day and I had to avoid a baby carriage there was no place for that person to go. This is the kind of thing we didn't bring up before because it would sound like we were biased. Since it was brought up it can be emphasized. The maintenance of this property is very expensive. You may not let it go for one day or you will ruin the green. It is an extremely expensive proposition.

Chairman McAuliffe: I agree. Again I thank you very much. I thank your committee on behalf of the Board of Selectmen. We will get back to you and let you know what our final decision is as to whether or not to proceed or whether to ask you to simply accept our gratitude for doing what you were instructed to do by the Town Meeting and I think you have done it very well. We appreciate it very much.

Len Gorman: Mr. Pedraza asked for an extension of time. The deadline is September 1.

MOTION: to extend the final deadline from the committee to October 1.

(Selectman Cipriano Motion, seconded by Selectman Satterfield.)  
Motion Carried.

Chairman McAuliffe: Your final report won't be due until at least October first and we will be back to you before then.

Mr. Pedraza: I will be going on vacation at the end of this month until the middle of September. From there to October 1 is only fifteen days. When I come back maybe I'll find that your resolution is that I should dig deeper into the financial aspect of this and I may not have enough time to..

Chairman McAuliffe: If that is our finding and we do wish to have the committee investigate further, at that time we will make a motion to extend your deadline and your final report will not be due until the first of the year. We can address that.

7:10 p.m. Meeting on golf course ended.

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NEW BUSINESS:

ZBA - LEVIO J. CIBELLI. Chairman McAuliffe read (1) 8/4/82 letter from the Board to Mr. Cibelli regarding the fact that he allegedly has changed his residency from 15 Main Street, Southborough, to 135 East Main Street, Westborough. Under Chapter 40A M.G.L., members of the Zoning Board of Appeals must be residents of the Town. Board requested that Mr. Cibelli resign from the Zoning Board of Appeals effective immediately. Chairman McAuliffe noted that the Certified Receipt was returned with Mr. Cibelli's signature indicating that Mr. Cibelli received the Selectmen's notice. Chairman McAuliffe read two memos from Janice C. Conlin dated August 12, and 16, 1982 addressed to Jeffrey A. Grossman, Administrative Assistant. Mr. Cibelli informed Mrs. Conlin that he is negotiating to rent as of September 1 in Southborough and that all mail should be addressed to P.O.Box 344, Southborough. Chairman McAuliffe said as of this moment, Mr. Cibelli has not answered in writing the Board's letter of 8/4/82. Mr. Cibelli has served as a member of the Zoning Board Appeals in the Town of Southborough for about 18 years. Taking that service into consideration, Mr. McAuliffe recommended that the Board send one more letter to Mr. Cibelli via Certified Mail R.R.R., requesting in writing clarification as to whether or not he is actually a resident of the Town of Southborough or whether or not, in fact, he is no longer a resident of Southborough or if, in fact, he has made arrangements to become a resident of the Town of Southborough. This letter should request an answer no later than next Tuesday, August 24, 1982.

Selectman Cipriano: So moved, Mr. Chairman, with the addition that the matter be referred to Town Counsel and that the Town Counsel be available and present at our next meeting night, August 24, 1982.

Selectman Satterfield: "I second it." No further discussion ensued.  
VOTE: Motion carried.

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SELECTMEN'S NEXT MEETINGS:

Selectmen will be meeting next Tuesday, August 24, 1982 at 7:30 p.m.

Selectmen will not be meeting on August 31 nor September 7. They will begin their regular winter schedule beginning on September 14 at 8:00 p.m.

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Selectmen signed Application for Enrollment in a Police Recruit Training Program, Massachusetts Criminal Justice Training Council, re Frank W. Cain, Jr.

7:18 p.m. MEETING ADJOURNED.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

MEMO

Before Selectmen convened in the Hearing Room in the presence of Constance Maida, Town Clerk's Secretary, three jurors were drawn for Worcester Superior Court as Traverse Jurors for October 4, 1982: (1) Pavel J.L.B. Otavsky, 164 Middle Road; (2) Anthony D. Atenasio: 186 Parkerville Road; and (3) Robert N. Ashley, 253 Cordaville Road.

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MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, August 24, 1982

7:30 p.m. Meeting convened in the Hearing Room. Present were: Chairman Thomas W. McAuliffe, Selectman Aldo A Cipriano, Selectman Denson L. Satterfield Jr., Secretary Marjorie R. Putnam, Building Inspector Edgar A. Phaneuf Jr., and members of the press.

ACCEPTANCE OF MINUTES:

Unanimous vote to deal with the approval of the Minutes of the Board of Selectmen from May through August 24, 1982, at Selectmen's next meeting scheduled for Monday, September 13, 1982; and then try to act on the approval of the Minutes on a weekly basis.

TREASURY WARRANTS signed by the Board:

Warrant #39	\$ 22,699.90	8/31/82
Warrant #40	\$ 237,000.00	8/27/82
Warrant #41	\$ 7,647.75	9/03/82
Warrant #42	\$ 38,362.17	9/03/82

REVENUE SHARING:

Warrant #12	\$ 19.00	8/31/82
Warrant #13	\$ 187.00	9/03/82

TOTAL \$ 305,915.82

PERMITS GRANTED/DENIED:

(1) Temporary Trailer Permit DENIED to applicant James G. Frontes,

8 Dana Road, Maynard, Mass. for 124 Turnpike Road for the purpose of selling mattresses and box springs. MOTION: to deny this request for the Temporary Trailer Permit and that the Chief of Police and/or the Building Inspector be instructed to inform the applicant that the trailer is to be removed from the property tomorrow. VOTE: Unanimous. Reasons for denial were that this trailer is not intended for storage purposes only, but is intended for storage AND conducting the sale of merchandise from said trailer. This intent deviates from the intent of the By-Law. Also it is a dangerous place in the terms of traffic problems.

(2) TEMPORARY TRAILER PERMIT RENEWED to applicant John A. Bartolini, 41 Deerfoot Road, Southborough. This is on a construction site on Parkerville Road. Unanimous VOTE.

(3) Permission GRANTED to the Liberty Belles, May Dorsey, 37 Chiltern Rd. Weston, MA to conduct an "estate sale" at 2 Banfill Lane on August 26, 27, 28 from 9:30 a.m. to 3 p.m.

Regarding Temporary Office/Storage Trailer Permits, Chairman McAuliffe suggested that the Board look into the possibility of changing the Zoning By-Law regarding these 30-day permits. For example, when a housing development or a construction project is going on, the By-Law requires that these individuals come in and renew this permit every 30 days. In certain areas where permits could be issued for a six-month or a nine-month period, taking into consideration the type of a project that may be involved, the By-Law could be amended at the Town Meeting along this line, as well as some other recommended changes. Selectmen Cipriano and Satterfield concurred.

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LICENSE GRANTED:

Class II Automobile Dealer's License granted to Bill & Larry Texaco, Inc. d/b/a Southboro Chevron, William L. Stapleton, President, 145 Boston Road. (See 7:30 p.m. scheduled appointment for further details.)

SELECTMEN'S MEETINGS SCHEDULED:

Selectmen VOTED to meet on Monday, September 13, 1982 at 7:30 pm instead of Tuesday September 14 as the 14th is State Primary Election Day. Also, when the November meetings are scheduled, the Board will meet on Monday, November 1, as Tuesday, November 2 is State Election Day.

APPOINTMENT PUT ON HOLD (8/3/82 request):

Chairman McAuliffe stated they will announce their decision at September 13 meeting regarding Treasurer/Collector Mary Guilford's request to appoint an Assistant Treasurer/Deputy Collector.

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SCHEDULED MEETINGS:

7:30 p.m. Hearing on application for a Class II License--Used Car to Dealer's License to Buy and Sell Second-Hand Motor  
7:37 p.m. Vehicles by Bill & Larry Texaco, Inc. d/b/a/SOUTHBORO CHEVRON, William L. Stapleton, President, 145 Boston Road.  
Present: William L. Stapleton and Building Inspector Edgar A. Phaneuf, Jr. Mr. Stapleton explained that he needs this license so that he can dispose of the cars he has towed and which are nonrepairable. He has accumulated so many "dead" vehicles that he now has a space problem as his parking space is limited. At present he has been allowed to use the parking lot next to his station but this can't be counted upon when the building becomes occupied in the near future. These vehicles are cluttering his property limiting the access and creating a traffic hazard. This license will clear all said clutter from his lot and therefore improve its appearance. Mr. Stapleton said he does not plan to change the current <sup>had</sup> lighting of his station. Building Inspector Phaneuf said he has/no problem with Southboro Chevron and has no

objections to the issuance of this license.

Selectman Cipriano's MOTION: that the Class II License application of Bill & Larry Texaco, Inc. d/b/a Southboro Chevron at 145 Boston Road, be and is hereby approved with the stipulation as agreed in the application regarding the maximum\* number of cars and also with the stipulation that any parking problems as expressed by the Chief of Police be worked out with the Chief of Police. (seconded by Selectman Satterfield). VOTE: Motion carried. (\* maximum = no more than four cars shall be displayed at any one time.)

#####

7:40 p.m. Levio J. Cibelli, Chairman of the Zoning Board of Appeals, to residency question. Mr. Cibelli was present. Chairman  
7:43 p.m. McAuliffe read August 24, 1982 letter from Levio J. Cibelli stating that following the sale of his house on Main Street, he has been on extended vacation and will be through September. He is acquiring new property in Southborough where he will reside. Chairman McAuliffe also read August 24, 1982 letter from Mr. Cibelli's attorney, Francis J. Bousquet asking that the Board direct any further communications to him and not Mr. Cibelli as he is now representing him. Mr. Cibelli said: "I would like very much for the Town of Southborough not to have the Police call my relatives or send me any correspondence anywhere except to my lawyer."

Selectman Cipriano: "Mr. Chairman, in as much as he has retained counsel, I would move that the matter be referred to Town Counsel." (seconded by Selectman Satterfield) No further discussion ensued.  
SO VOTED:

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CORRESPONDENCE NOTED AND ACTED ON:

8/18/82 letter from Mr. & Mrs. Harvey D. Bigelow, Sr. revoking their offer to the Town to use their property between 42 and 44 Bigelow Road for the purpose of a public turnaround, effective as of September 4, 1982. Chairman McAuliffe explained that this turnaround was used by school buses. ACTION: Selectmen VOTED to refer this matter to the Town Counsel to check out this License to see if the Town is under an effective License and does the letter from Mr. and Mrs. Bigelow legally terminate the Town's rights and Mr. and Mrs. Bigelow's obligations under said License; and Town Counsel to report back to the Selectmen with his recommendations as soon as possible.

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8/16/82 letter from the State Department of Public Works, Boston, informing the Board that under Chapter 191 Acts of 1982, the amount of funds to be made available to the Town of Southborough for State Aid Highways is \$35,467.00.

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Board noted that ZBA denied application of Charles G. Ellis, Jr. d/b/a Ellis Imports, 10-12 Newton Street to reconstruct and enlarge his building that is pre-existing to the Zoning By-Law.

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Board noted receipt from Attorney General of the disapproval of Article 10 (solicitation by-law), Annual Town Meeting 1982. All other by-laws of the Annual Town Meeting 1982 were approved by the Attorney General.

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August 12, 1982 letter from Southborough Housing Authority stating that at its June meeting the Southborough Housing Authority voted to recommend that Ann McDonald of Carolyn Terrace be appointed as the State Representative (to fill vacancy caused by the resignation of Henry Welch.

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Police Department July Monthly Incident Report was noted.

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July 10 correspondence from Ted Darcy, Coordinator, Concerned Citizens, Fall River, Ma regarding a program within Fall River's administration making them and all the cities and towns aware of a program they are fostering to try to correct the receipt of pornography with which everyone is being inundated.

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8:05 p.m. Unanimous VOTE to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

MINUTES OF MEETING  
BOARD OF SELECTMEN

Monday, September 13, 1982

Hearing Room

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie R. Putnam, Building Inspector Edgar A. Phaneuf, Jr. and members of the press. (Selectman Denson L. Saterfield, Jr. was absent due to illness.)

TREASURY WARRANT #47 in the amount of \$1.00 was signed by the Board.

ACCEPTANCE OF MINUTES: Minutes of August 24, 1982 approved as submitted.

PERMITS GRANTED:

(1) Permission granted to Southborough Cultural Arts Council to erect temporary signs at the corners of Routes 30 & 85; Rt. 30 and Framingham Road; and Rt. 85 and Southville Road conditional upon their compliance with zoning and that they do not obstruct traffic. (Re: Third Annual Arts Festival, Sunday October 10.)

(2) Permit to Block Street. Permission given to Carol Armbruster, 12 HENRY KNOX ROAD, to block off traffic on Saturday, September 18 between 2 p.m. and 6 p.m. for a neighborhood block party. VOTE: permission granted subject to the Police and Fire Chiefs being satisfied that they can still adequately service the homes on General Henry Knox Road.

(3) Permission granted to the Worcester County Chapter of the March of Dimes for its Southborough Walk scheduled for Sunday October 17, starting at 9 a.m. at the Southborough Police Station, 19 Main Street.

(4) 30-day temporary office trailer permit renewed for Michael Gulbankian, 40 Mt. Vickery Road.

(5) 30-day temporay sign permit granted to Bullwinkle's Pub, subject to the approval of the Building Inspector.

(6) Site Plan Approved--Dougherty Tool Co., 148 Marlboro Road, re proposed additions. (See 8:12 p.m. scheduled meeting for further details.)

(7) Site Plan approved--Fay School, 48 Main Street, classroom/library building. (See 8:30 p.m. scheduled appointment for further details.)

(8) Permit to Open Road granted to New England Telephone to place telephone conduit from 9/8-22/82 under Woodland/Central/Oak Hill Roads.

(9) Zoning By-Law Permits Granted to Oak Hill Construction Co., 41 Deerfoot Road, for single family residences on the following lots: Lot 27-18, House No. 3 Skylar Drive  
Lot 27-22, " " 4 " "  
Lot 27-19, " " 5 " "  
Lot 27-23 " " 6 " "

LICENSE GRANTED: Class II License granted to David Weiner d/b/a S & H Auto Sales, 353 Turnpike Road (transferred from Ralph Munzert). (See 8:40 p.m. scheduled appointment for further details.)

RESIGNATION received from George Thomas Schnare from the Conservation Commission, effective August 24, 1982.

CONTRACT AWARDED to Falconi Brothers, Inc., Boston Road, Southborough, for supplying of heating oil to the Town of Southborough- 9/1/82 bid price: .9980 cents/gallon. (Bids were opened on 9/2/82.)

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SCHEDULED MEETINGS:

7:30 p.m. Frank C. Zolli, Southeast District Manager of Massachusetts to Electric (Hopedale, MA) presented the Town of Southborough 7:34 p.m. a duly executed Easement from Mass. Electric to the Town of Southborough granting the Town the right to cross the land adjacent to the old Fire Station at 5 Main Street. Chairman McAuliffe presented to Mr. Zolli the Town's check for \$1.00 for said Easement. This Easement makes the land more marketable. Selectman Cipriano asked that Town Counsel make sure that no further action is needed from the Town regarding the acceptance of this easement.

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8:12 p.m. Site Plan Hearing on application of Dougherty Tool to Company, Inc. 148 Marlboro Road, to build additions 8:15 p.m. provided for in ZBA Variance granted 8/2/82, and a second level office. William R. Dougherty, President of Dougherty Tool presented to the Board the certified receipts proving that notice had been mailed to all the abutters. He also presented a copy of September 13, 1982 letter addressed to the Southborough Board of Health stating that the additions are for the purpose of housing a machine and the enlarging of the office space with no increase in personnel. The present sewer system consists of one for the plant and one for the office. Chairman McAuliffe announced that all boards have approved the Site Plan with the exception of the Board of Health. Board VOTED to approve the Site Plan as submitted subject to the compliance with the September 8, 1982 request of the Southborough Board of Health regarding the sewer system.

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8:25 p.m. VOTED: 5 minute recess.

8:30 p.m. Site Plan Hearing on application of Fay School, 48 Main to Street, to build a classroom/library building. Present 8:39 p.m. for Fay School was James McCaw, Supt. of Buildings and Grounds. Also present were Fire Chief Edward Brock,

Dr. Timothy Stone (Board of Health).

Mr. McCaw gave a brief presentation. He stated that in regard to the Board of Health's 9/9/82 letter regarding a sewer study of all existing sewer and any future sewer and any future sewer system that will be required, Mr. McCaw has just delivered to the Board of Health a letter dated September 11 stating that the proposed new building is Phase One of a three phase plan to replace existing structures with new buildings and therefore the new building will not result in any increase in the use of Fay School's present septic system. This system was installed in 1975 and was over-designed for the size of the school. Lighting: There will be a minimum amount on the perimeter, lighting on the building itself for security purposes. This building is not adjacent to any abutter. It will be a two-story building - one level from the back driveway of the school and two levels coming from the southerly part of the school library area. Mr. McCaw stated all abutters had been duly notified. No increase in traffic - it is the same entrance and egress that they have now with the same number of students. Fire Chief Brock had several questions re: size of the water main, access road and sprinkler system. Mr. McCaw responded that he did not know the exact size of the water main. The building will be sprinkled. The road now going to the back of the school will be the access road to the building. The only access to the back part of the building will be to drive across the field. There is no road through the fields. Mr. McCaw agreed to install a hydrant in the back of the new building. Mr. McCaw does not want to blacktop the field just for an access, but stated that the field can be driven on for an access as it is now to get to the back of the building. Dr. Stone was satisfied with the plan due to the receipt of letter from Fay School stating there would be no increase in the load on the septic system.

Concern from an abutter - Ann Maguire, 16 Middle Road. She was concerned with the route of the construction traffic. Mr. McCaw stated that he had already detoured the traffic to the back part of the school. The traffic normally came in the entrance being between the Steward Dormitory and the Headmaster's House on Main Street. They have blocked it off to the parents to get the parents accustomed to the new traffic pattern. Instead of using the driveway between the Steward Dorm and the Headmaster's house, they now go up to the further driveway, the next driveway down. The driveway between the Steward Dorm and the Headmaster's house will be used strictly for construction vehicles. They will come in from Main Street, go down that driveway, onto where the present tennis courts are. The new building will be located on the present tennis courts. They have moved some top soil down on Middle Road last week. That is the last, to his knowledge, that they will have to go down there unless they have to get some topsoil to reseed the place at the end of the project. Mr. McCaw does not anticipate any large amount of traffic down Middle Road. UNANIMOUS VOTE: that the site plan be approved as submitted subject to whatever requirement the Fire Chief has relative to a hydrant and access road; also subject to a determination by the Police Chief of any need for a police officer to be assigned if construction traffic becomes too heavy.

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8:40 p.m. Application for a Class II Automobile Dealer License to transfer from Ralph Munzert d/b/a/ S & H Auto Sales,  
8:46 p.m. 353 Turnpike Road, to David Weiner d/b/a S & H Auto Sales, 353 Turnpike Road. Both Mr. Munzert and Mr. Weiner were present. This license is needed for a used car business at this address. Mr. Munzert has an auto body business there and has franchised out tires for United Tire Company at this address. Mr. Munzert explained that he has asked for this transfer as he does not have the time to run his body shop and handle the sale of second-hand automobiles. It has become more than he can handle and he just wants to transfer the dealer plates to Mr. Weiner so that Mr. Weiner can run the second-hand automobile part of the business. Mr. Munzert did have someone working for him that handled this for him but it did not work out. Mr. Weiner stated he has been in and out of the car business @ ten years and he knows what he is doing in the car business and would take all the pressure off Mr. Munzert from what he is now doing. Mr. Weiner stated that he has had businesses in East Boston and South Boston. His last place was East Boston d/b/a/ Boston Auto Sales. This company is not in operation now. He worked with his brother. He lives in Framingham and it proved to be quite a hassle to get back and forth from East Boston. He didn't especially care for the area. He said he never had any complaints filed against him under the Consumer Protection Laws (Chapter 93A). He is in good standing with the city of Boston relative to his former businesses. He never was cited for a violation of anything and has a clean record in his operations.

Selectman Cipriano's Motion:

Based upon the representations of Mr. David Weiner made tonight to this Board, I would move to approve the transfer subject to all conditions on the present license, as follows:

- (1) Hours of operation: Mon. - Fri. 8 a.m. - 8 p.m.  
Saturday 8 a.m. - 2:30 p.m.  
Sundays CLOSED.
- (2) No more than fourteen (14) used cars shall be stored on said property at any one time.

VOTE: Unanimous.

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OTHER BUSINESS TRANSACTED:

New England Telephone Company requested permission to purchase one-half interest in existing Mass. Electric Co. poles on Fisher Road (shown on plan No. 979311 dated 8/31/82. Board SO VOTED TO GRANT PERMISSION.

#####

Selectmen Unanimously VOTED and signed the following Exclusion of Heavy Commerical Vehicles:

VOTED: That the Traffic Rules and Regulations of the Town of Southborough adopted on November 14, 1972, be and are hereby amended by adding at the end of Article VII, Sections 7-19, Operation of Heavy Commerical Vehicles, subsection 1, the following:

The use and operation of heavy commercial vehicles, having a carrying capacity of more than 2½ tons, are hereby restricted on Central Street. The alternate route will channel heavy commercial vehicles east on State Route #9 into Framingham to the "Marlboro Cutoff", then west on State Route #30.

This is to be sent to the Boston DPW, Mr. Justin L. Radlo, Chief Engineer, attention: V.J. Cantone, Traffic Engineer, for DPW approval. Copies are to go to Worcester DPW and to the Gregorys on Central Street and Highway Superintendent John Boland.

#####

Board noted 9/1/82 letter from Conservation Commission regarding vacancies on the Commission. (1) the Commission has had no response from Richerd Heidebrecht regarding his resigning from the Commission even though he has been out of the country for over thirty days. His present address is: U.S. Army Engineer Division, Europe; Attn: EUDED-MC: APO, N.Y. 09757. The Commission would like to know whether this leaves another vacancy so that they may fill the position ASAP. (2) due to the resignation received from Tom Schnare, the Commission would like Ann Dando Leavitt, 24 Main Street, appointed to fill his unexpired term. Selectman Cipriano's Motion: I would prefer to secure from the prospective new member (Ann Dando Leavitt) a resume relative to her background. Relative to the status of residency and given the sensitivity of Chapter 41, Section 30, it is suggested that Town Counsel determine this, given the no-response status from Mr. Heidebrecht, and then the Board can act on these requests, preferably at the Board's next meeting. UNANIMOUS VOTE.

#####

Re: Residency Question of Levio J. Cibelli, Chairman, Zoning Board of Appeals.

Motion by Selectman Cipriano:

Based on the 9/9/82 opinion of the Town Counsel and pursuant to Chapter 48, Section 14, as it relates to Boards of Appeal in Massachusetts, I would move that a letter be sent to Mr. Cibelli's counsel which specifies the charge and notifies him of a reasonable period of time in which we will hold a public hearing on the matter of his status with the Zoning Board of Appeals.

SO VOTED:

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Re: September 1 letter from Police Department enclosing the Radar Assignments and Speeding Citations issued for August also stating that there have been frequent technical problems with the radar unit during the past month. Mandate: Selectmen's Staff to get in touch with Police Chief Baker to determine the nature of the malfunction and to have it corrected if it has not already been done.

#####

Board noted September 1 letter from the State Department of Revenue, Bureau of Accounts, that as of July 1, 1982, the certified amount of available funds or "free cash" is \$619,994.

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Re: Steve Purcell (former Reserve Police Officer). Selectman Cipriano directed that a posthumous commendation letter be sent to the family of Mr. Purcell so that they will know that the Town of Southborough was very proud of him. SO VOTED.

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Selectman Cipriano asked that a letter be sent to the DPW Study Committee scheduling an organizational meeting for Wednesday, September 29, 1982 at 7:00 p.m. in the Hearing Room.

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Re: Bigelow Road Turnaround - cancelled by Mr. & Mrs. Harvey Bigelow as of 9/4/82. Mr. Gerry Snow, Mr. Edward Cram and several other residents of Bigelow Road expressed their anger at the cancellation of the use of the turnaround for the school buses and the town's vehicles. Selectmen informed the residents that the Town Counsel will look into this matter and asked the residents to come back to the Selectmen's meeting next week, September 21, at 8:30 p.m. Hopefully, the matter will be resolved at that time. Residents agreed to come to next week's meeting.

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Board noted August 31, 1982 letter from Mitchell J. Sthika, Jr. d/b/a Muley's Food & Spirits, 1 Southville Road, stating that their new sign should be erected in two weeks.

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8:53 p.m. VOTED: Unanimously to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

m

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, September 21, 1982

Hearing Room

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, and members of the press. (Denson L. Satterfield, Jr. absent due to illness.)

TREASURY WARRANTS SIGNED BY THE BOARD:

REGULAR WARRANTS:

Warrant #52	\$104,865.90	9/21/82
Warrant #53	\$446,792.59	9/17/82
Warrant #54	\$161,426.14	9/21/82
Warrant #55	\$ 29,367.64	9/24/82
Warrant #56	\$ 80,258.63	9/24/82
Warrant #57	\$ 525.00	9/21/82

REVENUE SHARING:

Warrant #14	\$ 23.75	9/21/82
Warrant #15	\$ 1,911.56	9/24/82

SITE PLANS:

(1) Re: Hearing originally scheduled for Dennis M. Doyle, 116 Middle Road, for Septemeber 21 and rescheduled for September 28, 1982.

MOTION: Due to the fact that proper notification has not been complied with and that a change was initiated and the rescheduling of this hearing to next week, this hearing is to be rescheduled for two weeks from tonight (October 5) instead of one week from tonight (Sept. 28). VOTE: SO BE IT.

(2) Re: Dr. Stephen F. Loughlin III; request to open a chiropractic office in his home at 16 Winter St., Fayville. Hearing is to be reconvened Sept. 28, 1982 at 8:45 p.m. All approvals were received except from the Board of Health. Dr. Loughlin will comply with Board of Health's request nextweek and will bring their approval to the reconvened Site Plan Hearing.

SITE PLAN REQUIREMENT VOTE:

Board voted that regarding request for site plan approval, applicant must submit the Site Plan no later than fourteen (14) days prior to the hearing date. This will give boards time to act on the site plans.

LICENSE GRANTED

To the Town of Southborough from Harvey D. and Elizabeth C. Bigelow to use their land for a turnaround for school buses and town vehicles. (See scheduled appointment 9:02 p.m. for further details.)

SCHEDULED MEETINGS:

7:30 p.m. Meeting with citizens who are trying to keep State from to closing Middle Road/Rt. 9 crossover. Citizens present  
7:57 p.m. were: Charles Gaffney, Patricia Bennett, Kevin Moran, Bonnie and Peter Phaneuf, William Rudd, Robert Hoss, and others who reside in the area. Several citizens spoke and gave a preliminary Rt. 9 Traffic Impact Study re this intersection. The Final Report will be filed with the Selectmen's office no later than Friday, Sept. 24, 1982 so that it can be forwarded to Senator Daniel Foley and Representative Joseph Navin. Ch. McAuliffe read and signed letters to Senator Foley and Representative Navin reiterating the Board's stance, that the Middle Road crossover should remain open until an assessment can be made of the impact which the A. J. Lane Office Bldg. and the traffic control signal at the intersection of White Bagley/Break Neck Hill Rds. and State Rt. 9 has upon traffic movement and safety.

8:09 p.m. Meeting with Board of Health: Chairman Philip Mauch, to members Dr. Timothy Stone and Fred Douglas; Dorothy 8:13 p.m. Manning, Secty. Bd. of Health; Bldg. Inspector Edgar A. Phaneuf, Jr.; Fire Dept. Inspector Captain George Killam; Wiring Inspector James A. McCaw: owner of Hong Chow Restaurant Jake Lung Soo Hoo and his attorney Milton H. Raphaelson. Purpose: Request by Hong Chow Restaurant to open bar section only. Attorney Raphaelson asked for an Executive Session as the discussion may reflect on the reputation and character of his client, Jake Lung Soo Hoo. Board of Health was unanimously in agreement to go into Executive Session.

MOTION by Selectman Cipriano: On the proposal of Attorney Raphaelson and the Board of Health, I move that this Board go into Executive Session pursuant to Open Meeting Law - Chapter 23B, Section 1, of the Mass. General Laws, part of the discussion to be the reputation and character of Jake Lung Soo Hoo. As required by statute, the meeting will reconvene at the conclusion of the Executive Session portion of the meeting.

VOTE: Unanimous.

8:15 p.m. Executive Session was held in the Hearing Room. It to was announced that the Board will return to the open ses- 9:00 p.m. sion with a concluding statement. Present at the Execu- tive Session were: Board of Health Chairman Philip Mauch; members Dr. Timothy Stone and Fred Douglas; Bldg. Inspector Edgar A. Phaneuf, Jr.; Fire Department Inspector Captain George Killam; Wiring Inspector James A. McCaw, Jake Lung Soo Hoo (owner of Hong Chow Restaurant); his attorney, Milton H. Raphaelson; Chairman, Board of Selectmen Thomas McAuliffe, Sel. Aldo Cipriano, Admin. Ass't Jeffrey Grossman. Secretary Marjorie Putnam (Selectmen) and Secretary Dorothy Manning (Board of Health). Discussion: Request by Jake Lung Soo Hoo to open bar portion only of the Hong Chow Restaurant.

9:00 p.m. Chairman McAuliffe reconvened the open meeting and announced that no votes were taken during the Executive Session.

9:02 p.m. Meeting with Harvey D. Bigelow, 30 Bigelow Rd., regarding his request for a License from the Town to use and re-use a designated portion of his land in order that the Town's school buses and all Town vehicles may turn around on his property. Mr. Bigelow stated that he read the proposed License and noticed that it did not define the property to be utilized. Ch. McAuliffe announced that this License will be redrawn to include "being shown as Lot 3 on a'Plan of Land in Southborough, Mass. Property of Francis D. Bigelow, drawn by Myron Corp. dated January 5, 1981". This License is to be automatically renewed every two years. The redrafted License will be delivered to Harvey D. and Elizabeth C. Bigelow for their signature on Wednesday, September 22, 1982. Mr. Bigelow gave permission to the Town to notify the schools and the bus companies that they can begin using this turnaround next Monday, September 27, 1982.

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DISCUSSIONS:

(1) re: Complaints received by the Board of Health by abutters of land on Parkerville Road due to the spreading of manure by Mr. Allen of 77 Deerfoot Road. Selectman Cipriano read September 21 memo from Fred Douglas of the Board of Health giving an operating procedure for the usage of this property and suggested (a) that the manure should only be applied during the period of September 15 through May 15, and (b) that the manure must be dry.

MOTION by Selectman Cipriano: "On the basis of this letter I would suggest that the Board forward this letter, together with a cover letter, to the concerned resident, Mr. Ferris; also a letter to Mrs. Manning on Parkerville Road; and that we adopt the content of the letter, and I would even go as far as proposing to Mr. Allen that we would expect him to comply with these requirements in the future. Otherwise, I would be intent on requiring, or at least from the standpoint of the Selectmen requiring some type of a leasing arrangement that would officially and legally bind him to the requirements. What I am saying is voluntary compliance is his opportunity, but if he fails to do that, it should be clear that our intent is that you can use our property or town's property or school's property to request that a lease be entered into at a later date. That would be basically a resolution of that matter. THAT WOULD BE IN THE FORM OF A MOTION, Mr. Chairman."

Chairman McAuliffe: seconded.

VOTE: SO BE IT.

Abutters are to be sent a copy of Board of Health memorandum of September 21 with a cover letter. Letter to be sent to Raymond R. Allen, 77 Deerfoot Road, re the Board's vote.

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9:19 p.m. VOTED: to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

m

MEMO

Board signed 9/14/82 TREASURY WARRANT

Warrant # 48	\$ 24,191.47
Warrant # 49	\$ 358,000.00
Warrant # 50	\$ 7,922.71
Warrant # 51	\$ 117,442.00

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, September 28, 1982

Hearing Room

7:30 P.M. Present: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, and members of the press. (Selectman Denson L. Satterfield, Jr. was absent due to illness.)

ACCEPTANCE OF MINUTES: Minutes of Sept. 21, 1982 approved as submitted.

TREASURY WARRANTS SIGNED: #58 \$ 22,653.29 #61 \$ 17,168.00  
#59 \$145,000.00 #16 \$ 71.25 REV. SHARING  
#60 \$ 7,608.54

SITE PLANS:

(1) GRANTED to Dr. Stephen F. Loughlin III, 16 Winter Street Fayville, to open a chiropractic office in his home. (See 8 p.m. appointment for further details.)

(2) CANCELLED by applicant David Holmes d/b/a Southboro Boarding Kennel, 47 Oregon Road, Site Plan review re moving his existing kennel supply shop from the kennel office building to the garage. (scheduled for Sept. 28 at 8:30 p.m.)

LICENSE GRANTED:

Diesel Fuel Storage License granted to Almac Moving & Storage, Inc. for 41 Turnpike Road, Fayville, for 10,000 gallons diesel fuel stored in underground tanks. (see 7:30 p.m. appointment for further details)

RESIGNATION RECEIVED: John Rego from Zoning Board of Appeals.

APPOINTMENTS MADE:

(1) to the Fayville Village Hall Committee: William A. Dupont, 17 Oregon Road, term to expire May 1983 (recommended by John Baveri, Chairman, Fayville Village Hall Committee).

(2) to the Conservation Commission (to fill unexpired term of George T. Schnare) Ann Dando Leavitt, 24 Main Street, her term to expire May 1985.

(3) to the Conservation Commission (to fill the unexpired term of Richard W. Heidebrecht) Arnold B. Gustafson, 19 Oregon Road, his term to expire May 1984. NOTE: This appointment was made at the request of Robert Hoss of the Conservation Commission based upon the fact that Mr. Heidebrecht is in Germany, has been out of the country for more than 30 days, that a letter has been sent to him requesting his resignation, that for whatever

reason, he has not submitted his resignation; and based upon the fact that the Conservation Commission needs a replacement for the good, health, safety and welfare of the Town of Southborough.

(4) to the Zoning Board of Appeals Peter H. Roche, 182 Woodland Road, his term to expire May 1985 (to fill unexpired term of John Rego). (recommended by Selectman Cipriano)

JURORS DRAWN: three Traverse Jurors were drawn for Nov. 1 session: (1) Florence M. Cox, 28 Highland Street; (2) H. C. Heisler, 11 Fairview Drive; and (3) Peter Rocheford, 28 Gilmore Road.

SCHEDULED APPOINTMENTS:

7:30 P.M. Public Hearing on application of Almac Moving & Storage, to Inc. for a License to store in underground tanks 10,000 gallons of diesel fuel on land located at 41 Turnpike Road. (Nearest cross Street: Willow St.) Representative of Almac presented certified receipts (proving notice of this hearing had been mailed to all abutters) and plan (in triplicate) showing the location of the tanks approved by the Fire Chief. No abutters spoke in opposition. UNANIMOUS VOTE TO GRANT SAID LICENSE TO ALMAC.

7:45 P.M. Petition by Massachusetts Electric Company for electric conduit to be laid underground, under PARKERVILLE ROAD — 7:50 P.M. One underground street crossing beginning at existing pole #62-X Parkerville Road, then extending 40 feet westerly to the entrance of Skylar rive. Memo re telephone call from Highway Supt. John Boland stated that this is a simple road crossing and he has no problem with it. Mass. Electric will be applying for a Permit to Open the road and Highway Supt. will be inspecting the placing of the conduit at that time. No abutters spoke in opposition. UNANIMOUS VOTE TO GRANT SAID PETITION OF MASS. ELECTRIC.

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8:00 P.M. Reconvened Site Plan Hearing on application of Dr. to Stephen F. Loughlin III to open a chiropractic office

8:07 P.M. at 16 Winter Street. Mrs. Loughlin presented to the Board the only approval missing, the one from the Board of Health. She also presented certified receipts to prove abutters had been notified of this hearing. At present this will be just a part-time business but if and when the doctor increases his business, there are extra parking spaces in the rear. In the future they may hire two employees. Building Inspector Phaneuf said he had no problem with the Site Plan. The only abutter present was Lorraine Keller and she stated she had no problem with this Plan. No abutters spoke in opposition. Selectman Cipriano made a Motion "that the application of Dr. Stephen F. Loughlin III for an office in his residence at 16 Winter Street, Fayville, be and is hereby approved based upon all signoffs of all boards and all representations made tonight." VOTE: Unanimous.

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OTHER BUSINESS TRANSACTED:

Re: Middle Road/Route 9 Crossover. Present were Charles Gaffney, Lorraine Keller, Patricia Bennett, and Kevin Moran. Chairman McAuliffe thanked them for the Final Report on why this intersection should remain open and informed them that it has been forwarded to Senator Foley and Representative Navin, who in turn will see that Chief Engineer, DPW, Boston, Justin Radlo receives same.

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Chairman McAuliffe announced that the public hearing to discuss the residency question of Zoning Board of Appeals Chairman Levio J. Cibelli has been postponed to October 19, 1982.

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UNANIMOUS VOTE: In accordance with the provisions of Chapter 89, Section 9, of the General Laws, the following streets are designated as stop streets at the intersections and in the direction indicated:

<u>STREET STOPPED</u>	<u>DIRECTION</u>	<u>AT INTERSECTION OF</u>
Oregon Road	Northbound	Woodland Road
Overlook Drive	Southbound	East Main Street
Edgewood Road	Northbound	Oregon Road

Mandate: Chairman McAuliffe asked that a letter be sent to Robert Shea of the DPW Traffic Division, (1) thanking him for his cooperation in the DPW approval of Board's request to exclude 2½ ton commercial vehicles from Central Street, and (2) request his assistance in planning some sort of a warning sign which would indicate that Central Street is excluded to 2½ ton vehicles - a sign to be placed on Route 9 heading west and one heading east. Highway Supt. John Boland should be contacted re the placing of these signs.

Complaint: Charles Gaffney registered a complaint that the 2½ ton figure is too small, that the Board should consider raising the tonnage amount to perhaps allow small pickup trucks, etc. to use Central Street. Board announced that at present, Police Chief Baker will enforce this new restriction on Central Street.

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Sidewalk Study Committee: Board was informed that this committee has not organized to date. Mandate: Selectmen's Staff to contact this committee and ask them to organize and select a chairman.

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Stony Brook Golf Course Study Committee: Board unanimously VOTED to extend date to receive final report from this committee to November 1, 1982. Chairman of this committee, Mr. Pedraza, to be notified.

8:17 p.m. VOTED: to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Sec.  
dm

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, October 5, 1982

Hearing Room

7:30 p.m. Present: Selectmen Aldo A. Cipriano and Denson L. Satterfield, Jr., Administrative Assistant Jeffrey Grossman, Secretary Marjorie Putnam, and members of the press. (Chairman Thomas W. McAuliffe was absent due to his having to attend Worcester County Commissioners FY'83 Budget Meeting in Worcester.)

Selectman Aldo A. Cipriano was Unanimously VOTED as Chairman Pro Tem in the absence of Thomas W. McAuliffe.

ACCEPTANCE OF MINUTES: Approval of Minutes will not be acted on until Selectman Sattersfield has had a chance to review them.

TREASURY WARRANTS SIGNED BY THE BOARD:

REGULAR WARRANTS:

WARRANT #62	\$ 106,740.33	10/05/82
WARRANT #63	\$ 241,000.00	10/01/82
WARRANT #64	\$ 39,384.62	10/8/82
WARRANT #65	\$ 29,345.54	10/8/82

REVENUE SHARING:

WARRANT #17	\$ 71.25	10/5/82
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PERMITS GRANTED:

(1) Site Plan approved - Dennis M. Doyle d/b/a Educational Training Systems, Inc., 116 Middle Road - parking areas for Middle Road office building. (For further details see 8:00 p.m. scheduled appointment.)

(2) Permission given to Boy Scouts of America to close Chestnut Hill Road except to residents of Chestnut Hill Road from 4 pm on Friday, October 15, 1982 to 4 p.m. on Sunday October 17, 1982. This is for a Three - Day Jamboree in Beals' Field off Chestnut Hill Road. Notifications are to go to Police Chief William D. Baker, Fire Chief Edward F. Brock and Highway Superintendent John W. Boland, Jr.

LICENSE GRANTED: One-day Special License granted to Lincoln Square Club c/o Loretta Nelson for a Fifties Dance to be held at Saint Anne's Hall, Boston Road, on Saturday, October 23, 1982 from 8 to 12:30 a.m.

RESIGNATION received from Richard V. Upjohn from the Transfer Station Recycling Committee effective October 2, 1982. VOTE: Acknowledge and place on file.

OTHER BUSINESS TRANSACTED: Re: Chapter 90 Work on Johnson Road, Boston Road and Central Street, Board unanimously VOTED to authorize Treasurer/Collector Mary Guilford to secure short term bonding in the amount of \$70,000 to cover the up-front payments on these projects. This vote was needed by Highway Superintendent John Boland.

Lorraine Keller informed the Board of the erosion (Boston Road) where the guard rail runs along both sides of the causeway where the bike paths are. This erosion is steadily getting worse and is very dangerous for the children of the area to ride a bike along there. She asked if Highway Superintendent John Boland could be made aware of this problem and correct same..

ACTION: Selectmen will notify Mr. Boland of this problem to see what he can recommend.

Charles Gaffney and Patricia Bennett were present and inquired as to the status of their report which was sent to Representative Navin and Senator Foley to try to keep Middle Road crossover open. Selectman Cipriano informed them that no word has been received to date. The Selectmen's office will contact Representative Navin and Senator Foley at the end of the week to seek the status on this matter.

7:48 p.m. VOTED: recess. 7:48 p.m. to 8:00 p.m.  
to  
8:00 p.m.

SCHEDULED MEETING

8:00 p.m. Site Plan Hearing 116 Middle Road owned by Dennis M. Doyle d/b/a Educational Training Systems, Inc.  
8:27 p.m. proposing to construct parking areas for his Middle Road office building. Present were: Dennis M. Doyle and his Engineer, Robert Drake of Drake Associates, Inc. Presentation was made by Mr. Doyle's engineer Robert Drake of Drake Associates, Inc.

Transcription from tapes:

R. Drake: The proposed site as shown on Locus Plan shown on the lower left-hand corner of the Site Plan is approximately a 2.3 acre site which has its frontage on Middle Road and goes back in the unusual configuration as shown here. There is an existing building on the site which is 3,600 sq. ft. with a net area of 2,800 sq. ft. which is presently used, or was formerly used as a veterinary hospital. What Mr. Doyle proposes to do is to convert the building to a professional office building. The existing building is located as shown here and there was an existing parking space which included seven parking spaces. The access to the site is across a twelve-foot wide driveway which comes in partially over the locus and partially over an abutting lot and comes to our parking lot. There is a 70-foot wide driveway and utility easement which runs along the property here and goes off the property at the southeast corner. Within this 70 ft. wide driveway and utilities you have the existing driveway, you have an existing water service you have overhead utility lines and there is also an existing gas service. Running through the property is a drainage ditch

or intermittent brook which runs and discharges to the north and to the MDC Reservoir. There is a 24-inch reinforced concrete pipe culvert which enables the brook to go under the driveway and there is some additional 12 inch reinforced concrete pipe and set of twin 6 inch corrugated metal pipes which all discharge into the brook. What Mr. Doyle proposes to do is expand his parking lot from existing 7 spaces to a total number of spaces of 24. This will be provided by generating two additional spaces at this location (southeast corner of parking lot), eight additional spaces along here (northwest corner of parking lot), and seven additional spaces along here (northwest corner). The existing septic system is located in this location providing an expansion area at this location. Due to proximity of the septic system in an effort to keep all drainage structures away from the septic system, a minimum of 100 feet away from the septic system, we are not providing any drainage catch basins within the proposed expansion of the parking area. What we have chosen to do is to break the area up into separate smaller areas which will be paved with a bituminous concrete surface but will maintain existing drainage patterns as far as runoff that currently goes this way. We will continue to do so, and the runoff will flow across the ground this way and you will have runoff flow going off this way. The only other alternative that we had to provide the parking spaces that we need at the site to use existing building would be to have one concentrated parking area with drainage structures at the northwest corner which would then be 100 feet away from the existing septic system which would then necessitate drainage catch basins and an MDC-approved grease trap before they could discharge into the brook which ultimately leads to the MDC Reservoir. Primarily we are trying to avoid two things:

(1) concentrating the runoff in this particular way - in other words, going to one individual discharge pointing toward the brook; and (2) aesthetically, we are trying to avoid a large paved area at our front door. So what we have is in the sense of - a swap... this is our best alternative to be able to maintain the existing conditions.

Selectman Cipriano: The requirement notice relative to abutters, do you have your certification notice to abutters, green slips and your return receipts?

Drake: Yes. (presented same)

Selectman Cipriano: Do you have any questions on this Selectman Satterfield?

Selectman Satterfield: Not at this time.

Selectman Cipriano: Where is the closest proximity residences to this?

Drake: On the Locus Plan on the lower corner, abutting the property due south is an existing single family residence where the Leeds live. Abutting the property on the west is an additional lot which is owned by D-K Associates which has been approved for a proposed office building which would involve expanding and extending the existing driveway into their property in continuation and generation of additional

utility services for that separate building.

Selectman Cipriano: Could you estimate the potential impact on Middle Road of the increased traffic which apparently is going to be increased, at least in term of the spaces. There will be 24 spaces now. What do you anticipate as the substantial use of the property - is it going to be - clarify more what the use of the property is going to be.

Drake: Educationable Training Systems, Inc., which is presently located in Southborough and is operating in the Professional/Medical Building near the center of town, has a total number of thirteen employees. Mr. Doyle feels that proposed usage and the job patterns that they have right now, of the employees - they would be showing up at the beginning of an eight hour work day and would be leaving at the end of that eight-hour day. So there would be 13 of the 24 spaces. The number of 24 was generated by your By-Law requirement - your net square footage divided by 150. Mr. Doyle feels that in reality that traffic load would be considerably lighter than that as far as the balance of the traffic flow as far as service calls and sales calls. They will not be conducting the educational training seminars, etc. on the premises. They do have a proposed small conference room in the building but the seating in the conference room will only be for about eight seats. The current usage, I can't speak, I have not done any traffic observations on what the previous usage involved. But, by the very nature what the previous usage involved. But, by the very nature of it, was probably customers coming and going and with the dead load coming in, staying and leaving at the end of the day, probably the actual traffic load will be more concentrated obviously but with a lesser inconvenience to the residents along the street.

Selectman Cipriano: Do you anticipate any drainage or runoff problems as the result of the reconstruction or additional construction of the parking which may affect any of the abutters specifically the Leeds?

Drake: Basically, the way the drainage brook runs through the property right now, everything in this direction drains down here - everything in this direction drains down here. So, whatever we are going is on this side of the brook so it would not adversely affect any of the Leeds property. The majority of our runoff will be coming down and discharging on the northerly side of the downstream side of the existing 24 inch culvert. So, in that respect, we should not be putting any increased load on that 24 inch culvert, other than what it receives right now.

Selectman Cipriano: What is the current lighting situation now? Do you have high intensity lights on the parking area, do you expect any more and if so, the location.

Drake: The proposed lighting which I have in front of me here, a revision of the site plan which you had before, which represents basically some screening notes which we have prepared

for tonight's meeting, and I can go into the question of the lighting and the question of the screening.

The proposed lighting at this time - there ultimately is going to be a utility pole placed at this location which would involve the extension of the utility service to the D-K site and that will be used for external lighting. Otherwise, the proposed lighting will involve basically light posts or flood lighting at the building so we won't have any high intensity lighting. The proposed sign will be down at this location and will not be a lit sign because again, the operating hours for the proposed building - you are talking about a 9 to 5 operation. There isn't any need for..(interrupted).

Selectman Cipriano: There would be no timing of late lights for security purposes or anything?

Drake: Probably interior.

Selectman Cipriano: Nothing late at night - 11 or 12 o'clock at night?

Drake: No.

Selectman Cipriano: I know there are some concerns about the screening. It may be best that you discuss and explain it to us - speak up so the Leeds family can hear you because they may have some questions when I give them an opportunity to speak later. Why don't you explain screening to us.

Drake: This Friday we took the opportunity to meet with the Leeds out at the site to discuss the proposed site development and the results of that discussion were what we are proposing to do is put in a hedgerow screen at this location as shown to silhouette out the additional paved surface from their residence which is located over here, and also to provide a minimum of two additional deciduous trees - large deciduous trees - which provide again a screen of the area and would also provide some shade for the parking area for the proposed cars. In our discussion, one of the things that was brought up was that the hedgegrow will be kept in an effort to balance the need... as far as aesthetically looking at a parking area, but also concerns about visibility for people coming and out of the parking sites for traffic coming into the road so the hedgegrow will not be any sort of a tall - it will be more of just joined-together shrubs. At this point down here next to this existing utility pole we are proposing to put a single pine tree which will serve as an evergreen screen barrier to block out any additional affects of any lighting around the building and also to provide partial blocking.

Selectman Cipriano: One tree is going to screen?

Drake: It does sound ludicrous, I agree. When we were out there - you had to be there - presently this area is all low meadow grass area and what we are looking at is that we are trying to maintain that - again it is a question of to go with anything that would block

visibility of anyone coming down the road so it is a balance between (end of side one of tape)...I believe we are in agreement and you can address the Leeds on this question. The single tree probably will provide a sufficient barrier because, in fact, this paved area should blend in fairly well.

Selectman Cipriano: Are there any other concerns you may have, Denson?

Selectman Satterfield: Just to clarify for my own information, I am not familiar with this type of business. I gather that this is not a retail business where people are going to be coming and going - customers coming or going.

Drake: Not to a great deal, but perhaps the best one to answer that question would be Mr. Doyle.

Selectman Satterfield: Could you give us an idea of that, Mr. Doyle, just the traffic impact, I understand you are going to have 13 employees who pretty much get there at 8 and leave at 5. Do you have any idea of how many people would come and go?

Mr. Doyle: The business that we are in is basically research, design and writing insurance and securities books such that we have a minimum number of sales people calling on us - occasionally to sell equipment and machinery. The people arrive in the morning and work on their research and their manuscripts throughout the day and then go home in the late afternoon. We are not retail at all. We could get along without a sign to identify where we are.

Selectman Satterfield: Okay, I understand that kind of business. One other question, the hours of lighting as far as the flood lighting is concerned - Are you proposing a timer that would go off at 6 at night? Let's say the outside lights to illuminate your parking area - obviously in the winter you are going to have to keep them on until 5 or 6 or so for safety - but do you intend to have them on a timer or are they going to go off at a certain period or stay on all night or what?

Mr. Doyle: There is an existing light system that is there. It is on the pole. We don't propose any change in the lighting on the property at all, nor additional lighting nor any lighting that would extend later into the evening.

Mr. Satterfield: So whatever is there now is what is going to stay and you have no changes?

Mr. Doyle: Exactly.

Selectman Cipriano: Obviously our concern would be that if there was other lighting, there may be a need for shielding, just as long as you are aware of it.

Mr. Doyle: No new lights whatsoever.

Selectman Satterfield: Even with your extra parking spaces, you won't need it?

Mr. Doyle: No. I don't anticipate that we'll need it. If the need arises, we can certainly come back to the Board of Selectmen as far as getting any approval of that. Again, it is not a large expansion of the parking area. There is an existing lamp post. I believe I showed the proposed utility pole with lighting because there ultimately is going to be a pole there with lighting which was part of the approval for D-K Associates.

Selectman Cipriano: Is there anyone else who would like to speak in favor of the proposal? Is there anybody that would either like to speak in opposition or like to ask any questions about the proposal?

John Leeds: I am an abutter and there is another abutter here - Al Phillips. Will the trees in question be one on that narrow parking lot - question is how large it was with the other trees and the shrubbery, how large will the tree be? Will there be a date or some kind of check as to when the shrubbery is to be put in.

Mr. Doyle: Let me take the second part of your question first. As far as the date, obviously this time of year would be the best time to do any transplanting so that is why we are anxious to do the transplanting at this time while the trees...As far as the size of the tree, the white pine or the pine tree that will be put at the location blocking the seven spaces will probably be something in the neighborhood of a three-inch diameter stock at this time. Probably Mr. Phillips can comment on this more accurately than I can, you can probably look to about a foot of growth a year. As far as this time, I frankly will have to check as far as what's available, the best looking tree that we can get on the site but we obviously not looking for a sequoia but again it is something we will have to come up with, something that is the most practical to transfer. As far as a deciduous tree, again, it certainly won't be the saplings. We are probably looking at something in the neighborhood starting at a minimum of 10-12 feet in height at this time. Hopefully it will grow with the business.

Al Phillips: The white pine won't do very good in that swamp. It will probably die off. It will die in a swamp.

Mr. Doyle: I will touch base again with the people at Weston Nurseries or a nearby area to give us some help on that. This is one of the subjects we were discussing when we were out there Friday. Again, we were near a wet area and we were talking about the ideal tree would be to come in with a weeping willow, but it is such a trashy tree, that is, it leaves a lot of leaves on the ground. The area where we were wasn't really right in the swamp, but it is close and we are aware that it is a concern as far as what type of tree will grow in a low wet area.

Leeds: I don't know where you are going to put the trees exactly but I know it is all swamp land on both sides of the driveway running in there.

Mr. Doyle: The tree is going to be right where - you know where the last existing telephone pole is before you go into the hospital, it is right on the left there. In other words, as you are coming in the

driveway here, this is where that last telephone pole is, we are going to try to put the tree right there. We are looking at the water level down there is 259 degrees and what we are talking about is 263, so we are four feet higher than the swamp level.

Leeds: I have a question about the driveway. Did you give a figure of 70 feet for the width?

Drake: No, I mispoke myself if I did say that. It's labelled on the plan as a 12-foot wide existing driveway. At one point, which I should mention at this time, it is part of the proposal for the D-K Associates site which was approved a little over a year and a half ago which involved the widening of that 12foot wide access driveway to 18 feet wide and that is something the Profile Plan was generated for the purpose of that Site Plan. Again, at this point in time, due to the proposed concentrated but light ususage that we are proposing for the area, we are not going to go to any expansion of that existing driveway at this time.

Charles Gaffney: He spoke about putting a sign up, I objected to the previous sign that was put up, the way it was done. I hope that when another sign is put up, it won't be put up like the last one was on a post sticking up in the air six feet high. Is there any restriction anywhere that a sign should be put in neatly, etc. and not just stuck in the swamp like the last one like the veterinary hospital. It was terrible looking.

Drake: The proposed sign we have will be right at the entrance to the driveway. I believe they (the vet. hospital) were trying to tell the traffic on Route 9 eastbound that that was where they were. As Mr. Doyle stated, he is not dependent upon new people coming to locate his operation. Presumably everyone who is coming to him knows where it is. It is more to identify the site and to clear up any possible confusion because of the location of the lot and the fact that the driveway does not stand right out as the entrance to turn in. The size of the sign will be 25 sq ft. which could be something like 4' x 6'. It won't be 2' x 12'. I believe that 25 sq. ft. is the normal amount for this type of building. The idea is to let people know where you are and not spend a awful lot of money doing it.

Mr. Leeds: Where are you planning to put your mailbox or is going to be picked up in Town? The last resident there - the Vickery Hill Hospital put it in my yard until I informed them.

Drake: We have a post office box.

Selectman Cipriano: I note that you have already obtained your Use Variance from the Zoning Board of Appeals. You have already obtained the Order of Conditions from the Conservation Commission. You have the approval of the Building Inspector and all of the Boards have signed off and have approved the Plan. I would therefore entertain a Motion that the Site Plan as proposed, including the representations made by Mr. Doyle and Mr. Doyle's Agent, be approved.

Selectman Satterfield: I move that based on the representations made tonight and the Revised Plan showing the screening, I so move that, Mr. Chairman.

Selectman Cipriano: Keeping in mind that our Motion is this little screening situation with the tree, our concern is the screening, not so much what type of tree it is, but that it do its job, obviously, and I am sure that you will have that matter resolved and the approval of the Site Plan is given on the basis that the screening be accomplished by whatever means you so deem. So, that is in the form of a Motion?

Selectman Satterfield: It is, Mr. Chairman.

Selectman Cipriano: It is seconded. VOTE: in favor. UNANIMOUS.

Al Phillips: When they put the pine trees along between me and Adams Engineering, 218 Turnpike Road, the trees are practically all gone now and there are only a few left. Who checks on that stuff that they do this? Nobody comes to check whether or not the trees are knocked down or died. I think the bank owns that property.

Selectman Cipriano: I would say that it would be the responsibility of the Zoning Administrator or the Zoning Enforcement Officer who in the case of the Town of Southborough is our Building Inspector. I hope he agrees with that. So it would be that he enforces the Zoning in Southborough whether it be the State law or a local By-Law, I would assume that it would be his responsibility to enforce and to continue to enforce any of the conditions that we may put on approval of Site Plans. If there is a problem down there, we would be glad to refer the matter to him for an inspection or investigation.

Al Phillips: I don't care as much about the trees because I planted some along my side of the thing but I know the bank there, most of them are gone now. They aren't doing much good.

Selectman Cipriano: Was that part of the Site Plan requirement that there be buffers there.

Al Phillips: Yes.

Robert Hoss: The Selectmen are the Zoning Board not the Building Inspector.

Selectman Cipriano: He is our enforcement branch. He is our investigator.

Hoss: He does not investigate Zoning By-Laws unless he is instructed by the Board.

Selectman Cipriano: That is true but he is our Zoning Inspector Investigator Administrator Enforcement Officer.

Selectman Satterfield: Mr. Phillips, you bring up an excellent point. Many times we will write something in or it will be agreed that something

be done. Then four or five years down the road something happens. If it isn't brought to our attention, we would appreciate it. The screening law is fairly recent. It has only been brought into play in the past few years. There are many times people put up screening voluntarily. We didn't ask them to do it. But if it is part of the site plan hearing, and the trees die or something happens from a windstorm or something, please let us know. If you let us know it is our job as Selectman Cipriano said, through the Building Inspector. It is our job to enforce it. The people who are affected nearby are certainly the ones that should at least bring it to our attention. If it is written into the Site Plan, as tonight, and from the Motion I made that it was contingent upon the representations given. That is everything they said to us and it is all on tape. It will be in our Minutes and I am certain in most cases, most of the people who come here certainly end up doing what they say they are going to do. Sometimes they get into a bind where they can't or perhaps memories fail or five or six years go by. I know in my own place I have put some screening in. Some of the trees died. In some cases I have put new ones in and in some cases I haven't. You bring it to our attention, believe me. We won't shirk the responsibility. We will take care of it.

Mr. Phillips: Thank you.

Selectman Cipriano: I can assure you that Educational Training Systems, Inc. is a company that basically has been in Southborough for a period of time and its reputation is very good as that of Mr. Doyle, so I doubt you would have any problems at all relative to this.

Gaffney: The traffic is going to get to that building coming from east or west. It is going to go down Route 85, Mt. Vickery Road, additional traffic down Middle Road going north. This is just a point of information.

Selectman Cipriano: I was aware. My first thought was that it would aggravate a problem that you have already presented to us. Denson is aware of that also.

8:30 p.m. VOTED to adjourn the meeting.

Marjorie R. Putnam, Secretary

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MEMO

ZONING BY-LAW PERMITS SIGNED by the Board on 9/29/82.

James H. Moody  
65 Main Street  
(53-6B)

Anthony J. Folino  
86 Main Street  
(4-31A)

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, October 12, 1982

Hearing Room

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Selectman Denson L. Satterfield, Jr., Administrative Assistant, Jeffrey A. Grossman, Secretary Marjorie Putnam, Toula Vlahan of the Middlesex News, and interested citizens.

ACCEPTANCE OF MINUTES. Board voted to accept Minutes of October 5, 1982 with a revision on Page 5, paragraph 8, of Rough Draft Copy: strike out the word "Satterfield" and insert the word "Cipriano".

TREASURY WARRANTS SIGNED:

REGULAR WARRANTS:

Warrant #66	\$ 26,869.44	10/12/82
Warrant #67	\$ 401,659.63	10/08/82
Warrant #68	\$ 14,305.13	10/15/82
Warrant #69	\$ 8,468.98	10/15/82
Warrant #70	\$ 105.00	10/15/82

REVENUE SHARING:

Warrant #18	\$ 38.00	10/12/82
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PERMIT GRANTED: Temporary Office trailer permit renewed for 30 days for Michael Gulbankian, 40 Mt. Vickery Road.

PERMIT DENIED: Permission denied to Arlene F. and John F. Quinn to place a mobile home as temporary living quarters for 30 days on Lot #4 Wyndemere Drive, under Zoning By-Law IV, Section 2, subsection (h). Applicant must apply to Zoning Board of Appeals for a Variance.

LICENSE GRANTED: 1-day Special License granted to Gail Rowe, 100 Newton Street, Southborough RE: Marlborough Hospital Auxiliary Scholarship Dinner to be held at St. Anne's Hall, Boston Rd., Nov. 6, 1982 from 7 p.m. to 12 p.m.

BIDS REJECTED: UNANIMOUS VOTE: to reject all bids received and opened on 10/7/82 at 10 a.m., supplying gasoline to the Town of Southborough, as recommended in memorandum from Office Manager Janice C. Conlin which stated that the bids were incomplete.

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NO SCHEDULED APPOINTMENTS.

OTHER BUSINESS TRANSACTED:

Selectmen signed (in duplicate) 1982 forms to be used for credit from the funds set up by the Legislature, formerly under Chapter 497,

Acts of 1971 - Gas Tax. Attached were certified copies of the votes and appropriations taken at Town Meeting, April 12, 1982, amounting to \$522,370.

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Selectmen proclaimed November 14 through 20, 1982 as Emergency Medical Services Week.

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Selectmen signed posthumous commendation of Steven V. Purcell. Selectman Cipriano asked that the family of former Police Reserve Officer Purcell be contacted to see if they would be willing to come before the Board of Selectmen to receive this letter of commendation.

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Regarding the Middle Road/Rt. 9/proposed closing, Charles Gaffney, Patricia Bennett, and Kevin Moran were present and interested in the status of their final report which was sent to Representative Navin and Senator Foley two weeks ago. \*\* A call will be placed again in the morning and Mr. Gaffney will be informed as to the status of the matter.

\*\*Selectmen informed them that they had not heard from either legislator but had placed a call to Rep. Navin today who had not returned said call.

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Selectman Satterfield informed the Board that Roger and Carole Maconi (Ward Road, Southborough, MA) have continuously kept in contact with the people of Kent, England, and would like a note of appreciation sent to the Maconis.

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Correspondence received:

October 7 notice from Worcester County Commissioners re public hearing in their office on October 26, at 1 p.m. to determine priority needs of anticipated COUNTY REVENUE SHARING ALLOTMENTS for Entitlement Period 14 (FY 1983). ACTION: Chairman McAuliffe asked to be reminded to attend this hearing.

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Board noted ZBA hearing on Monday, Oct. 18, 1982 at 7:30 pm on petition of L.B. Darling, Div. Idle Wild Farm, 28 Newton St., for a Variance to construct 4' by 18' addition.

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10/5/82 Notice from the Alcoholic Beverages Control Commission stating that the Federal census for 1980 has determined that the population of Southborough is 6,218 which governs how many annual licenses can be issued under Section 12 and Section 15.

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8:04 p.m. VOTED: to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, October 19, 1982

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Selectman Denson L. Satterfield, Jr., Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie Putnam, members of the press and interested citizens.

ACCEPTANCE OF MINUTES: Motion was made, seconded and voted to accept as submitted Minutes of October 12, 1982.

TREASURY WARRANTS SIGNED BY THE BOARD:

REGULAR WARRANTS:

Warrant #72	\$ 103,250.09	10/19/82
Warrant #73	\$ 410,478.92	10/15/82
Warrant #74	\$ 28,756.25	10/22/82
Warrant #75	\$ 39,148.06	10/22/82

REVENUE SHARING:

Warrant #19	\$ 57.00	10/19/82
<b>TOTAL</b>	<b>\$ 581,690.32</b>	

PERMITS GRANTED:

(1) Zoning By-Law Permits granted to:

...Richard L. Fairfield to build single family dwelling on 11 Pine Hill Road (Map 69, Lot 7)  
...Gene Ceramicole to build single family dwellings on 76 Main Street (Map 53, Lot 19) and on 78 Main Street (Map 53, Lot 18).

(2) Temporary Trailer Permit (house trailer) granted to Arlene F. and John F. Quinn, to place trailer on Lot #4 Wyndemere Drive from December 6, 1982 through January 3, 1983. (See Scheduled Appointment 7:45 p.m. for further details.)

APPOINTMENTS:

(1) Jennifer A. Bishop was appointed Assistant Treasurer/Deputy Collector (See Scheduled Appointment 7:55 p.m. for further details.)

(2) \*George A. Hubley, 103 Southville Rd. was appointed a full time member of the ZBA to fill the unexpired term of Levio J. Cibelli, his term to expire in May 1984. This is a promotion from Alternate to Full Membership.

(3) \* John C. Tupper, 237 Parkerville Rd. was appointed Alternate Member of the Zoning Board of Appeals to fill the unexpired term caused by the promotion of George A. Hubley. \*(For further details on the above ZBA appointments, see Other Business Transacted.

SCHEDULED MEETINGS:

7:30 p.m. Fire Chief Edward F. Brock was asked by the Board to be to present tonight while Selectman McAuliffe read a  
7:38 p.m. Proclamation declaring November 14 through 20, 1982 as Emergency Medical Services Week. Board thanked and commended Chief Brock for all the time and effort for all of the men and women who are in this medical service. It is an "outstanding service in the Town".

Transcription from tape...

7:45 p.m. Chairman McAuliffe: This appointment is in regard to a to letter dated October 19, 1982 addressed to the Board of  
7:52 p.m. Selectmen...from Arlene F. Quinn and John F. Quinn (read in its entirety. Letter asked the Selectmen to reconsider their request to temporarily place a trailer at Lot #4 Wyndemere Drive from December 6, 1982 through January 3, 1983.) Mr. & Mrs. Quinn are present this evening. Would you care to add any further information to this particular letter?

John Quinn: Other than the fact that the house is being handled by a General Contractor, the septic system is in on the property. The final inspection will be done within the next few days. Items such as the carpentry, lighting, etc. we are handling ourselves so it would be a great convenience for us to be up there to coordinate the people who will be installing those items.

Chairman McAuliffe: I have checked with the progress of the construction of that particular piece of property. I have also checked with the Building Inspector and he believes that at the rate of the progress that you are making that, in fact your deadline will be completed. I therefore have no objection to this request.

Selectman Cipriano: Last week when I had made the motion on that, it is correct as the Quinns have represented, that the reason I made the motion which was a withdrawal without predjudice is to preserve your ability to come back before this Board at a later time without the need of having a motion to reconsider the matter.

I would like to know, if I could determine, what provisions are going to be made in terms of compliance with the sanitary code relative to your living in that trailer for that period of time. Have you conversed at all with our Board of Health relative to what facility would be used?

Mr. Quinn: We have not conversed with the Board of Health. However, it is our understanding with our builder that it is likely that the plumbing in the house will be hooked up by early December. If it is not, we have looked into dumping sites - one in the Town of Framingham - there is also the possibility we would pursue

with the Board of Health regarding dumping into our own septic system.

Selectman Cipriano: The permit for the utilization of the trailer would run from December 6, 1982 until January 3, 1983 with no renewal?

Mr. Quinn: That's correct.

Selectman Cipriano: I would move that permit be granted to Mr. and Mrs. John Quinn to temporarily place a trailer on Lot #4 Wyndemere Drive with the understanding that the trailer will be in existence on the property from December 6, 1982 through January 3, 1983 with no re-application; and further that they comply with whatever is necessary with the State or local sanitary and health codes.

(Motion seconded by Selectman Satterfield)

VOTE: SO BE IT.

(end of transcription)

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7:55 p.m. Meeting with Treasurer /Collector Mary Guilford regarding to her July 29 request to have the Board appoint Jennifer A. Bishop, 8:07 p.m. 9 Breakneck Hill Road, as Assistant Treasurer/Deputy Collector at Grade 10, Step 4, effective immediately. Chairman McAuliffe read Mrs. Guilford's July 29 letter and explained that the Board voted on August 3, 1982 to take this letter under advisement. Mrs. Guilford explained her main reason for asking for this appointment before any emergency arises so that in the event of any problems arising, there would be a smooth transition. The increase would be 30 cents an hour, 35 hour week, \$546.00 annually.

Selectman Cipriano: believes that the "same end result could be accomplished by the appointment of a temporary clerk at the appropriate time". His main concern is "the long range effect of an individual once they're into <sup>the</sup> ~~step~~ system spiraling to such an extent that our small government becomes slightly larger and a little more sophisticated than may be necessary". "In the terms of the individual that she is suggesting for appointment, in terms of the basic qualifications, I have no problem. It is just a matter of the policy <sup>of</sup> expanding the government and if we weren't talking about the Treasurer/Collector tonight, if we were talking about a comparative position in another department, I would probably feel the same way unless there were different information. So based upon those comments, unfortunately I am going to have to vote against the proposal."

Selectman Satterfield: "I feel about 90% the way Selectman Cipriano feels and share the same horror of the growth of government. However, it has been my experience in management that it is not good nor useful to the moral and the effect of functioning of government to appoint temporary assistants or to make temporary promotions. We should treat our people who are serving the Town the same way we would treat employees in private industry which is to give them a chance to strive and better themselves. That consideration would weigh me on the side of favoring this proposal... plus the problems that could arise to the Town should she not only be ill but just to be out of Town. It seems a little unfair that

somebody couldn't go out of town for a week. Based upon the nominal amount of money we are talking about, and the correct handling of money is important...I don't like to see government expand anymore than it has to, but I feel in this case it is necessary, I would therefore MOVE, Mr. Chairman, that this proposal be adopted". Motion was seconded by Selectman Cipriano.

Chairman McAuliffe: " I would point out that it is the position that I am in agreement with. I think it has become a position that is necessary in the Town of Southborough. To have only one individual who is able to sign checks or to act on behalf of the Town in the Treasurer's Office in this day and age, I think it is a mistake. I do not like to see government expand any more than the next individual, but I feel this is an important position. It is a position we did create and did vote for in the Town Accountant's office and I see the Treasurer/Collector's office is as important, or more than that particular office, and therefore I would call for a vote. All those in favor of creating the position of Assistant Treasurer/Deputy Collector and appointment thereof of Jennifer A. Bishop to a Grade 10, Step 4, say, Aye."

VOTE: Aye: Selectman Satterfield

Aye: Chairman McAuliffe

Those opposed: Selectman Cipriano.

Selectman Cipriano: "My opposition is based on the matter of policy and not on the qualifications of the candidate."

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8:07 p.m. Representative Joseph Navin met with the Board to bring to them up to date on the Middle Road situation. Also 8:13 p.m. present were Charles Gaffney, Patricia Bennett, and other interested citizens of the area. Representative Navin relayed the steps he and Senator Foley had taken to get to this point. Commissioner Sandino Tersigni of the State Department of Public Works in Boston, told Representative Navin that the Middle Road intersection at Rt. 9 would be kept open. Justin Radlo, Chief Engineer of the State DPW, also confirmed the fact that Middle Road intersection will be kept open. When Representative Navin asked Mr. Radlo if this would be permanent, Mr. Radlo told him that nothing is permanent. There is a new administration coming in. The priorities of that new administration may be different than the present administration. Possibly, something could happen at that point. However, Mr. Radlo could not see anything in the near future as to the closing of Middle Road intersection. Representative Navin, in answer to questions, answered that in the conversations he had with Mr. Radlo and Mr. Tersigni, it appeared to Representative Navin that the State had no intention of closing this intersection in the immediate future. The way it was stated, this intersection will be kept open. This decision was arrived, in Representative Navin's opinion, from two factors: (1) from the new information received on Middle Road from Mr. Gaffney et als and (2) Governor King had problems with it. From looking at the latest report on Middle Road, anyone could plainly see that the alternatives were more dangerous especially during the wintertime than the original proposal. Mr. Gaffney asked to be notified if

the Board received any change in the State's decision or of any future meetings. Selectman Cipriano stated that the only reason why a change might be considered would be from a new administration or perhaps locally after the A.J. Lane office building is completed, to see what the affect this new building might have on the neighborhood.

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OTHER BUSINESS TRANSACTED:

Chairman McAuliffe stated that originally the Board had scheduled a public hearing for 7:30 tonight regarding the residency question of Zoning Board of Appeals member Levio J. Cibelli. At approximately 7:45 p.m. last evening, October 18, 1982, Mr. Cibelli came to the Town Hall with an envelope which he gave to the receptionist Jean McCaw. The envelope was addressed to the Board of Selectmen of the Town of Southborough. Chairman McAuliffe opened the envelope last night and it was Mr. Cibelli's resignation from the Zoning Board of Appeals effective immediately. Letter was addressed to the Board of Selectmen and not to the Town Clerk as requested by law. Therefore, Mr. Cibelli is in the process of correcting that letter and changing it from the Board of Selectmen to the Town Clerk. Chairman McAuliffe said that in effect, Mr. Cibelli has resigned as a member of the Zoning Board of Appeals effective yesterday's date, therefore leaving a vacancy <sup>open</sup> on the ZBA. Chairman McAuliffe asked for the names of any candidates to put forth.

Selectman Satterfield: I move that George Hubley, Sr., 103 Southville Road, be appointed to fill the unexpired term of Levio J. Cibelli.

Chairman McAuliffe: He will be moved from the Alternate position to a Full-time.

Selectman Satterfield: He is presently an Alternate. I would like to move him up to Permanent.

Selectman Cipriano: I know that Mr. Hubley has served in the Alternate capacity to date and has become well educated with the functions of the Board. I would like to alter that Motion by adding 'subject to the receipt by the Town Clerk of the official notice from Mr. Cibelli'. We do have his intent on record as of last night which is clear that he wants to resign. However, he will have to fulfill the legal requirement of addressing his letter directly to the Town Clerk. I second the Motion and I will further vote for the Motion to graduate Mr. Hubley to a regular position subject, of course, to the receipt from Mr. Cibelli of his resignation direct to the Town Clerk.

VOTE: Motion Carried.

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Chairman McAuliffe: Now, we have an Alternate Position that we have to fill with the elevation of Mr. Hubley.

Selectmen Satterfield: I move that the Alternate Position be filled by John C. Tupper, 237 Parkerville Road. (Seconded by Chairman McAuliffe)

Selectman Cipriano: Could Selectman Satterfield just give me some brief background of Mr. Tupper. How long has he lived in Town.

Selectman Satterfield: I am acquainted with Mr. Tupper. He has apparently expressed an interest that should an opening become available, he would be willing to serve. He is highly thought of in the community. Many people I have made inquiry of have spoken very highly of him. Based on that, I make this nomination. He has lived in Town five or six years.

Selectman Cipriano: So, he is familiar with the geophysical characteristics of the community and does participate in the community, actively at this point?

Selectman Satterfield: Not as active in this way. I am trying to get people, that have maybe never been in this before, interested in serving town government.

Selectman Cipriano: What I am trying to determine is that he is familiar with the community, familiar with the individuals in the community.

Selectman Satterfield: Yes, indeed he is.

Selectman Cipriano: And realizes our goals, our problems?

Selectman Satterfield: Yes. And highly thought of by the people I have made inquiries of. He works for Carlton Aluminum. He is about my age.

VOTE: Motion carried.

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SELECTMEN'S MEETING DATES:

Chairman McAuliffe: In light of the fact that we have had light schedules, I suggest that we go on, for the month of November, a limited schedule unless something important comes up. I suggest that the Board of Selectmen meet on 10/26, 11/16 and 11/30 which would be every other week unless an emergency arises and in such case we would then call a special meeting. I suggest that we try this for the month of November. If it doesn't work out, we will look at December. December will be a busy month anyway. January will certainly be a busy month. February will be a busy month and March will be a busy month. So, I will make that in a form of a Motion that the Board of Selectmen meet on the 10/26, 11/16, 11/30 at 7:30 p.m. (Selectman Cipriano seconded the Motion for the purpose of discussion.)

A short discussion ensued. Selectman Cipriano and Selectman Satterfield had no problem with Chairman McAuliffe's suggestion.

VOTE: Motion carried.

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WINTER PARKING BAN:

The Board VOTED the standard WINTER PARKING BAN

as recommended by Police Chief Baker with the exception of shortening the Ban to read, "This Ban will be in effect from November 15, 1982 through April 1, 1983", and to add a final paragraph, "Illegal parking during unusual storms occurring before or after the Ban will be dealt with according to Article IX, Section 5 of the existing By-Laws."

CORRESPONDENCE NOTED:

Re: Central Street. October 14 letter from Worcester DPW, re Selectmen letter of October 4, 1982, advising that the DPW will install signs on Route 9 in advance of Central Street warning motorists of the heavy commercial vehicle exclusion.

Re: Police Chief. October 13 letter received from All State Alarm of Southborough commending William Baker as Chief of Police.

November 2 State Election. Selectmen signed Election Warrant.

New Payroll Sheets: Selectman Cipriano asked to have the new payroll sheets explained to the Board. Administrative Assistant Grossman explained that the new computer printout sheets will save the Town approximately \$1,300 plus all the labor. This does away with printing expensive payroll sheets. The printout sheets go directly to the department heads who put on these sheets the number of hours worked by the individuals in their department. The computer then computes the deductions and the salary. The approvals by the department heads are on file in the office of the Treasurer/Collector. It cannot be put into the computer without the signature of the department head.

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8:25 p.m. VOTED: to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

MINUTES OF MEETING  
BOARD OF SELECTMAN

Tuesday, October 26, 1982

Hearing Room

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Selectman Denson L. Satterfield, Jr., Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, members of the press, interested citizens: Patricia Bennett, Charles Gaffney, Lorraine Keller, Robert Hoss.

MINUTES APPROVED AS PRESENTED: October 19, 1982.

TREASURY WARRANTS SIGNED:

REGULAR WARRANTS:

WARRANT #76	\$ 22,479.32	10/26/82
WARRANT #77	\$ 365.00	10/26/82
WARRANT #78	\$ 444,128.08	10/22/82
WARRANT #79	\$ 7,890.41	10/29/82
WARRANT #80	\$ 27,775.81	10/29/82

REVENUE SHARING:

WARRANT #20	\$ 57.00	10/26/82
WARRANT #21	\$ 1,231.55	10/22/82
WARRANT #22	\$ 39.49	10/29/82

TOTAL \$ 503,966.66

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PERMITS GRANTED:

(1) Re: October 25 request of Mary Maher, 36 Gilmore Road, for a stop sign to be put at each of the entrances of Route #85 from Route #9. VOTE: That the necessary procedure be followed and an application made to the State for the installation of a stop sign or a yield sign, or appropriate regulatory sign, to be put at each of the entrances of Route 85 from Route #9.

(2) 30 day Temporary Trailer Permits granted to:

...Fay School, 48 Main Street (two construction trailers, needed re the building of a new classroom/library building)  
Unanimous VOTE:

...Hugh M. Dalzell, 90 Turnpike Rd. Fayville  
RENEWED two storage trailer permits for another 30 days.  
VOTE: Ch. McAuliffe: in favor  
Sel. Satterfield: in favor  
Sel. Cipriano: against

Selectmen discussed the fact that some "temporary" trailer permits have been renewed for a year or more, that perhaps this by-law should be reviewed as to its intent and be revised at the next Annual Town Meeting.

(3) GRANTED to Pilgrim Congregational Church permission to erect three temporary signs at intersection of Rt. 85 and St. Mark's Street, at the corner of Rt. 85 and Rt. 30 on St. Mark's property, and at the intersection of Framingham Road and Route 30. The vote of the Board is conditional upon the applicant's compliance with the Zoning By-Law and that said signs do not obstruct traffic.

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RESIGNATION from the Zoning Board of Appeals from Levio J. Cibelli, dated October 25, 1982. Board would like an appropriate letter to go to Mr. Cibelli thanking him for the number of years he has served the Town as a member of the ZBA.

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CONTRACT AWARDS: (1) Gasoline contract awarded to Marlco, Inc., 279 Maple St., Marlboro, as per their bid:

	REGULAR	UNLEADED
Delivered	\$ 1.018	\$ 1.058
Tank Car Price	.9980	1.038
Escalation Price	.02	.02

This was the only bid received on October 25, 1982.

(2) Cooperative Road Salt contracts awarded to the following: Eastern Minerals, Inc. for \$25.70/ton delivered; and to International Salt Co. (as an Alternate) for \$25.86 delivered. These companies were recommended by Highway Supt. John Boland in letter dated October 26, 1982.

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SCHEDULED MEETING:

7:30 p.m. Meeting on petition of the NEW ENGLAND TELEPHONE CO. to to lay and maintain underground conduits, manholes, and  
 7:40 p.m. wires and cables to be placed under SEARS ROAD beginning at existing P4, which is located at the northwesterly corner of Sears and Marlborough Roads, continue westerly along the northerly side of Sears Road to existing P1, at the northwesterly corner of Sears and Stowe Roads for approximately 321 feet of conduit. No representative from NET was present. No abutter appeared in opposition to the petition. Administrative Assistant Grossman informed the Board that Highway Supt. Boland sees no problem with this request and NET Plan No. 961405 dated 9/28/82. VOTED: to grant said petition .

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CORRESPONDENCE AND OTHER BUSINESS TRANSACTED:

News release from Police Chief William D. Baker and Board of Selectmen warning residents to exercise caution and restraint if they allow their

children to Trick or Treat on Halloween night. The Selectmen felt that they had no right to place a ban on Halloween activities, that it is the responsibility of the parents.

#####

Selectmen read October 20 report from David P. Scattergood of the Southborough Planning Board re a hearing held by the Marlborough City Council on 10/12 relative to the proposed Hager Woods condominium development on 269 acres in Marlborough. Southborough's interest (in part): use of town roads by residents of Hager Woods travelling to and from Route 30 via Parmenter and Pine Hill Roads. Approval of this development by the City Council at this time is questionable.

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October 20 letter of appreciation received from Algonquin Council Boy Scouts of America for the Board's help with the 1982 Quad Council Muster held at the Beal's Farm on October 15-17. More than 5,000 cubs, scouts and explorers were in attendance.

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October 20 letter of appreciation from Southborough Cultural Arts Council for the Board's assistance with their Fall Festival.

#####

October 26 letter from P.Brent Trottier, Principal, Margaret A. Neary Elementary School, was read by Chairman McAuliffe, regarding the pie presented to the Board tonight made by Nita Hubley and her cafeteria crew with apples from the Southborough Lyscom Apple Tree which the school has had in the Mary Hayes Nature Center since 1977. Board asked that a letter of appreciation be sent to Nita Hubley thanking her and everyone responsible for baking this delicious Lyscom apple pie. The pie was shared by all those attending the Selectmen's meeting.

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8:14 p.m. VOTED unanimously to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

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(0 through 880 on side 1 of transcription tape)

M E M O R A N D U M

All meetings of the Board of Selectmen beginning with OCTOBER 26, 1982  
are recorded on cassettes and stored in the vault of the Town House.

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, November 16, 1982

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Selectman Denson L. Satterfield, Jr., Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, Building Inspector Edgar A. Phaneuf, Jr., Town Counsel Frederick A. Busconi, members of the press, and many interested citizens filled the Hearing Room.

ACCEPTANCE OF MINUTES

Minutes of October 26, 1982 were approved as presented.

TREASURY WARRANTS SIGNED BY THE BOARD

Warrant #90	\$108,600.58	Warrant #93	\$155,964.53
Warrant #91	239,178.72	Warrant #94	84,959.49
Warrant #92	29,963.86	Rev.Sh. Warrant #26	1,203.36

PERMITS GRANTED/WITHDRAWN

Site Plan Hearing which was scheduled for 7:45 p.m. tonight on application of Judith Forster, to sell antiques, house and garden plants, fruits and vegetables at **228 Turnpike Road**, will not be held due to illness of Mrs. Forster. Board VOTED to RESCHEDULE this Hearing on November 30, 1982 at 8:00 p.m.

Site Plan Permit unanimously DENIED to Byron Haseotes, **18 Lovers Lane**, who requested to store apples in a separate building 60 feet x 120 feet. (See Scheduled Appointment at 8:00 p.m. for further details.)

Site Plan Permit requested by David Holmes d/b/a Southboro Boarding Kennel, **47 Oregon Road**, to increase adequate off-street parking for kennel building and change size of business sign, was WITHDRAWN WITHOUT PREJUDICE by applicant. (See Scheduled Appointment at 9:30 p.m. for further details.)

Road Opening Permits GRANTED to (1) New England Telephone, **Stowe Road**, 11/15-30, for the purpose of placing 2-4" PVC Duct; and (2) Commonwealth Gas Company, 11/10-11/30, for the purpose of installing new gas service, **Cordaville Road** (L2A-3A-4A-5A).

Temporary Trailer Permits: (1) Dan Rourke, **30 Turnpike Rd.**, temporary storage trailer permit GRANTED for 30 days (new owner); (2) Michael Gulbankian, **40 Mt. Vickery Rd.**, temporary office trailer permit RENEWED for 30 days; (3) Primate Center, **Pine Hill Rd.**, temporary office trailer permit GRANTED for 30 days requested by W. A. Pupecki, Jr. for Pulin Corp. Re: warehouse being built at Primate Center. Trailer to hold tools and desk for foreman.

LICENSES GRANTED/DENIED

Transfer of Package Store/Wine & Malt Beverage Liquor License GRANTED from Jeffrey G. Anderson, Anthony J. Folino, Jr. and David T. Corbett to Philip G. Lefebure d/b/a SOUTHLVILLE MARKET AND PACKAGE STORE, **90 Southville Rd.** (See 8:30 p.m. Scheduled Appointment for further details.)

Hawker's/Pedler's License DENIED to Nelson H. Chute, III, proposing to sell cut flowers at 170 Marlboro Rd. (at corner of Sears Rd.) on November 24 and 25 only. VOTE: to deny request without prejudice. This property is unsuitable due to potential traffic hazards.

APPOINTMENTS

Mary E. Maher, 36 Gilmore Road, unanimously voted as Special Municipal Employee as a member of the Advisory Committee (under C.268A, Sections 1 and 17 of M.G.L.) Her term will expire May 1983.

Robert B. Bezokas, 147 Parkerville Road, unanimously voted to Department of Public Works Committee to fill vacancy caused by the resignation of Mary Rourke. His term to expire May 1983.

CONTRACTS

Agreement, Purchase and Sale - signed by Board of Selectmen and buyer Angelo C. Baltas of the old fire station, 5 Main St.

SCHEDULED MEETINGS

7:30 p.m. to 7:47 p.m. Final Report received from the Stony Brook Course Study Committee. Committee members present: Dennis Pedraza, Chairman, Louie Hoisington and Len Gorman. Mr. Pedraza gave the presentation. It was the opinion of the committee that the Town should not buy this golf course unless the \$100,000 asking price is lowered and all the money is obtained from State, Federal or private funding. Chairman McAuliffe then read November 15, 1982 letter from Ernest L. Kallander, owner of the golf course, asking the Board to defer any judgment on the basis of the Study Committee's Final Report. Chairman McAuliffe suggested that a MOTION be made that the Board of Selectmen accept the proposal from the Stony Brook Golf Course Study Committee regarding the golf course and to review and take it under advisement. Selectman Cipriano so moved. Motion seconded by Sel. Satterfield. VOTE: unanimous.

8:00 p.m. to 8:30 p.m. and 8:37 p.m. to 9:21 p.m. Site Plan Hearing on application of Byron Haseotes, **18 Lovers Lane**, requesting to store apples in a separate building 60 ft. x 120 ft. Present:

applicant Byron Haseotes who gave his presentation to the Board. Abutters present who spoke in opposition to this plan: William J. O'Brien, 22 Red Gate Lane (who presented and read a letter dated 11/15/82 in opposition signed by 26 residents of the area); Richard Finch, 2 Lovers Lane; Charlotte and James McArthur, 10 Lovers Lane; Peggy Donath, 45 Flagg Road; Gorham, 14 Red Gate Lane; Steve Hamlin, 10 Lovers Lane; Sherman Ball (Boston Rd.); Brian Kelly, 39 Flagg Rd.; Scattergood, 10 Red Gate Lane; Dolores Newman, 7 Red Gate Lane; Hazelton, 37 Flagg Rd. Two citizens spoke in favor: Peter Phaneuf, Middle Rd. and Phillip Jacobs, 35 Lynbrook Rd.

Approvals were received from: Water Department, Conservation Commission, and Planning Bd.

Disapprovals received: Building Inspector Edgar A. Phaneuf, Jr. (present) and Board of Health (needs further details).

Building Inspector Phaneuf stated he mainly disapproved this request due to his "interpretation of the Zoning By-Law, Section IV, paragraph (f) 'Farm, orchard, greenhouse, nursery, truck garden or roadside stand...' By definition, it is quite difficult to call a building 60' x 120' a barn or roadside stand or a greenhouse size building. I believe it falls into the category of a processing plant and as Zoning Officer, I find it difficult to approve this." Mr. Phaneuf said he has been enforcing the Town's by-laws since 1973.

Board noted that Mr. Haseotes did not have available the certified mail receipts proving that the abutters had been duly notified of this hearing.

Selectman Cipriano asked Town Counsel if he concurred with the Building Inspector's interpretations.

Town Counsel Frederick A. Busconi: "I absolutely do. There is no question. It is in the form of a processing plant which should not be allowed in this zone...Based upon the language of the by-law and the evidence given especially by the petitioner."

Ch. McAuliffe: "We have had a ruling by the Town Counsel. Therefore, I see no necessity of continuing this hearing any further and would entertain a MOTION that this Site Plan be **DISAPPROVED** in light of the information that has been brought forth by the Building Inspector and in light of the fact that Town Counsel so agrees, in light of the fact that the petitioner has not fulfilled the requirements as far as the Board of Health is concerned, and in light of the fact that we do not have in hand at this moment the notification of abutters, that this be DENIED.

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Selectman Cipriano: I shall second your Motion only for the purpose of discussion.

Further discussion ensued.

Town Counsel Busconi again stated:..."The facts I have before me tonight clearly indicates that the proposed site is in violation of our zoning code."

Mr. Haseotes stated he does not wish to withdraw his application.

VOTE: unanimous decision to **DENY** site plan approval as submitted.

8:30 p.m. Chairman McAuliffe opened and temporarily closed Hearing on the Transfer of liquor license, Package Store/Wine and Malt Beverages, from Jeffrey G. Anderson, Anthony J. Folino, Jr. and David T. Corbett to Philip G. Lefebure d/b/a SOUTHLVILLE MARKET AND PACKAGE STORE, **90 Southville Rd.** Mr. Lefebure was present and agreed to reconvene later in the evening. This was done in order to concludethe Haseotes Site Plan Hearing.

9:21 p.m. to 9:29 p.m. Reconvened above-mentioned transfer of Package Store/Wine and Malt Beverages License Hearing. Mr. Philip G. Lefebure filed with Selectmen's office all certified mail receipts proving abutters had been duly notified of this hearing. Ch. McAuliffe noted that all papers were in order. Abutter Stuart J. Fletcher, 59 Southville Rd., asked several questions regarding the land next to the market which had been used as a parking lot. He noted that the parking lot now has been closed in. Cars are now parking in the road obstructing his view of leaving his driveway. Off-street parking by-law does not apply to this property as it is a pre-existing nonconforming use. Mr. Fletcher did not speak in opposition to this transfer. No other abutter spoke in favor or in opposition to this transfer. Therefore, Selectman Cipriano made a MOTION: that the transfer of the liquor license be approved as contained in the proposed License Transfer to Philip G. Lefebure d/b/a SOUTHLVILLE MARKET AND PACKAGE STORE located at 90 Southville Rd. and described as contained in the transfer document. Motion was seconded by Sel. Satterfield. VOTE: unanimous.

9:30 p.m. to 10:24 p.m. Site Plan Hearing on application of David Holmes d/b/a Southboro Boarding Kennel, **47 Oregon Road**, proposing to increase adequate off-street parking for kennel building and change size of business sign. Manager and trainer Bob Warren spoke for applicant and owner David Holmes who left the Hearing Room to get the certified mail receipts proving he had mailed the notice to all abutters. Mr. Warren gave the presentation for Mr. Holmes as to what he is trying to accomplish

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by this Site Plan Hearing. They board dogs and train people to handle their animals. They do not plan to change the use of this business. David Holmes did the training before but now Mr. Warren handles this end of the business. Chairman McAuliffe questioned the fact that their Zoning Board of Appeals Special Permit allowed only boarding of animals, and it appeared to Chairman McAuliffe that the training of the animals is an extension of the business. Mr. Warren believes this falls under the caring of the dogs and is therefore allowable.

Selectman Cipriano cautioned that the proposed new sign should not obstruct vision of vehicles going in and out of the driveway. Owner David Holmes presented to Ch. McAuliffe the certified mail receipts proving abutters had been notified. Mr. Holmes wants to increase off-street parking to accommodate 8-10 cars. He wants to change the wording on the sign and change the size 4 x 5 ft. The sign will not obstruct in any way the view of people coming in or going out of the driveway. He has approximately 10 people coming and going in a day's business.

Site Plan Approvals/Disapprovals received:

Building Inspector: **Disapproved.** Mr. Phaneuf was present. Plan was not complete at the time it was submitted. Mr. Phaneuf believes they might have to go to the ZBA for a Special Permit. He will reserve his opinion until the end of this Hearing.

Conservation Commission: **Disapproved.** Extension would require a Wetland filing with the Commission before work took place. Commissioner Arnold Gustafson was present and asked Mr. Holmes several questions.

Planning Board: **Disapproved.** Plan did not show size of parking spaces. No screening is shown.

Chairman McAuliffe stated that the Plan does not show how many parking spaces and does not show any screening.

Water Dept.: **Approved** by Water Supt. William Binder.

Abutters et al who spoke against:

George Guinasso, 42 Oregon Road

Beverly and Llewellyn Rogers, 41 Oregon Road

David Geever, 32 Oregon Road

William Franz, Jr., 34 Oregon Road

Walter White, 20 Oregon Road

(Above complained about the noise and felt the training is an expansion of the business.)

Louis J. Bartolini, 8 View Hill Road

(Felt that it was an expansion of the business.)

MOTION MADE BY CHAIRMAN MCAULIFFE: "After hearing all the testimony,

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I would say that a boarding kennel is specifically a boarding kennel and the training of these dogs by bringing in a Manager or whatever his title may be, is an extension of that present business. Therefore, I recommend and make a Motion that this Board **disapprove** this Site Plan as submitted and then the petitioner could then take whatever action or appeal of our decision to the Zoning Board of Appeals. This is absolutely an extension of the business that was originally given in a Special Permit. I see a safety hazard. I have concerns in both of these areas."

Sel. Cipriano seconded the Motion for the purpose of discussion only. He suggested the petitioner withdraw without prejudice so that Mr. Holmes could work out the various concerns of the neighbors.

Sel. Satterfield pointed out that the complaints tonight were mainly about the way the business is being run. Complaints were about noise from barking dogs at night. A boarding kennel is a needed service.

VOTE on Chairman McAuliffe's Motion: Aye: Ch. McAuliffe.  
Nay: Sel. Cipriano and  
Sel. Satterfield.

MOTION was defeated by a 2 to 1 vote.

David Holmes stated that he did wish to withdraw without prejudice. He is willing to discuss all the concerns with the abutters.

MOTION by Selectman Cipriano: that the plan of David Holmes d/b/a Southborough Boarding Kennel at 47 Oregon Rd. be allowed to be withdrawn without prejudice. (seconded by Sel. Satterfield)

## MOTION CARRIED.

10:28 p.m. to 10:42 p.m. Main Street Association asked if they could read a statement regarding the Variance recently granted by the Zoning Board of Appeals with regard to the property at 15 Main Street. This is also with regard to the office building at 11 Main Street. Statement was read by Mr. Ostellio Gasparoni (8 School St.).

Ch. McAuliffe stated that the Board of Selectmen cannot make any comments on this matter nor enter into any discussion on this matter due to potential litigation involving the Town of Southborough. Town Counsel Busconi agreed with Chairman McAuliffe that the statement can be heard but that the Board should not enter into discussion at this time.

Selectman made no comments at the end of the reading of the statement by Mr. Gasparoni.

10:45 pm to 11:04 pm Meeting for the purpose of signing the Purchase and Sale Agreement with Angelo Baltas and his attorney Richard J. DeAngelis re the old fire station at 5 Main Street. Present also were Town Counsel Frederick A. Busconi and Paul e Brefka, Chairman of the Old Fire Station Study Committee. Due to the fact that Selectman Cipriano did not have a chance to review the final draft of yesterday, Selectmen agreed to set up the signing of the Agreement at the next meeting of the Board of Selectmen scheduled for Tuesday, November 30, 1982 at 7:00 p.m.

CORRESPONDENCE NOTED/OTHER BUSINESS TRANSACTED

Mr. Francis Pessini (10 Pine Hill Rd.) asked the Board about why it is permitting zoning violations at (1) dog kennel on Oregon Road, (2) Ted's Garage on Park St., (3) Ellis Imports on Newton St., and (4) medical building at 11 Main St. Chairman McAuliffe stated that the board would ask the Building Inspector to investigate these alleged zoning violations tomorrow.

Sel. Cipriano proposed that the new policy of signing only the first sheet of the payroll be REVISED back to the old policy of the Board which included the signing of each individual sheet so that the Board has a chance to review same. Simply stamp each part of the payroll. Sel. Cipriano further proposed that the Town Counsel more clearly specify in his billing what subject he has worked on and for what board, and if possible break down even more concisely the time being spent on any particular subject for any particular board. Town Counsel Busconi said it was no problem to comply with this request. Ch. McAuliffe and Sel. Satterfield AGREED with Sel. Cipriano's two proposals.

Sel. Satterfield wanted to publicly commend Police Chief William D. Baker and Sergeant William Colleary for their receipt presentation with two reformed drug addicts from Marathon House. They did an outstanding job.

Citizens questioned as to what the old fire station (5 Main St.) was going to be used for. Answer from the Selectmen: a 24-seat restaurant with no guarantee of a liquor license. Sherman Ball asked for a copy of the proposed Agreement before it is signed. Selectmen agreed to supply same to him. All concerns expressed tonight will be addressed at the Site Plan for this restaurant, concerns such as the septic system, parking, etc.

Board noted 11/4/82 letter from Robert F. McCarthy, Chief Engineer, City of Marlboro, commending Fire Chief Brock and the Town for

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their assistance at Marlboro's recent fire on Main Street.

November 12, 1982 letter from Marlboro Mayor Ferrecchia asking for Southborough's support in insuring the continuation of the Marlboro CETA Subgrantee as a deliverer of services within the new system as authorized by the Federal Job Training Partnership Act signed into law October 13, 1982. Selectmen SO VOTED (unan.)

Board noted receipt of \$9,000 check donated to the Town from St. Mark's School in lieu of taxes. A letter of thanks to go to St. Mark's School.

Police Dept. statistical report on speeding citations issued for October 1982. No September report was issued due to extensive repair to the Radar Unit.

October 28 letter from Northborough/Southborough Music Association stating that on December 13 and 14 they will bring UP WITH PEOPLE to the community. This is a touring cast made up of 125 young performers age 18 to 26 selected from all over the United States as well as numerous foreign countries. They would like the support of the Selectmen for this event and for the cast's arrival at Algonquin Regional High School on Sunday, December 12 @ 5:00 p.m. Selectmen plan to attend.

11:45 p.m. VOTED: to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

#### Memorandum

On 11/2/82 Selectmen signed the following Treasury Warrants:

TW #81	\$ 22,142.37
TW #82	275,042.31
TW #83	29,849.96
TW #84	47,210.50
TW #85	83,807.66
TW #23	19.00 (Rev.Sh.)
TW #24	79.95 (Rev.Sh.)

On 11/9/82 Selectmen signed the following Treasury Warrants:

TW #86	\$ 23,412.15
TW #87	211,727.40
TW #88	8,007.81
TW #89	43,509.11
TW #25	39,512.45 (Rev.Sh.)

mrp

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MINUTES OF MEETING

BOARD OF SELECTMEN

Tuesday, November 30, 1982

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Selectman Denson L. Satterfield, Jr., Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, members of the press, and many interested citizens.

TREASURY WARRANTS SIGNED BY THE BOARD

Warrant # 99	\$ 22,570.41
Warrant #100	\$ 86,057.60
Warrant #101	\$184,356.52
Warrant #102	\$ 30,820.91
Warrant #103	\$ 13,606.46
<b>TOTAL:</b>	<b>\$337,411.90</b>

PERMITS GRANTED

Site Plan Permits:

(1) Extension granted to Kenneth Giles dba D.K. Associates. Extension to expire 12-16-83. Re: Proposed office building to be constructed at **200 Turnpike Road**. This is a final extension. Original Site Plan approved 12-16-80. Condition of approval: No further extensions will be granted and the applicant shall be required, after the conclusion of this extension, to come in with an entirely new site plan for review by the Board of Selectmen.

(2) Site Plan approved for Judith Forster, **228 Turnpike Road**, to sell antiques, house and garden plants, fruits and vegetables. (See scheduled appointment 8:00 p.m. for further details.)

(3) Site Plan approved for Paul McCarthy dba McCarthy Pools Corp., **221 Turnpike Road**, to construct a 13' x 21' aluminum frame greenhouse addition to existing showroom. (See scheduled appointment 8:30 p.m. for further details.)

Zoning By-Law Permit Granted: To Robert A. Cole, Lot 63-1A, House #4A, Wyndemere Drive, single family dwelling.

RESIGNATION

Edith G. Sinclair resigned from Council on Aging effective 11-16-82.

CONTRACT SIGNED

Chairman McAuliffe and Selectman Satterfield, for the Town of Southborough, signed Purchase and Sale Agreement to sell old fire station, 5 Main Street. Selectman Cipriano did not sign Agreement in that he felt a more passive use of the property was appropriate. Town Counsel Frederick A. Busconi approved Agreement as to form and stated that everything was in order, that all of the requirements of the Fire Station Study Committee and the Board of Selectmen had been met. Angelo Baltas (Buyer) signed the Agreement. A deposit check in the amount of \$3,500.00, made payable to the Town of Southborough was presented to Chairman McAuliffe.

SCHEDULED MEETINGS

7:30 p.m. to 7:45 p.m.

Signing of the old fire station, 5 Main Street, Purchase and Sale Agreement. Present: Angelo Baltas (Buyer) and his attorney Richard DeAngelis.

7:47 p.m. to 8:00 p.m.

Recess declared by Ch. McAuliffe.

8:00 p.m. to 8:04 p.m.

Site Plan Hearing, Judith Forster, **228 Turnpike Road**, requesting to sell antiques, house and garden plants, fruits and vegetables. Present: Judith Forster, Building Inspector Edgar A. Phaneuf, Jr. Sel. Cipriano announced that he had a conflict of interest in that his firm is suing Mrs. Forster's husband, John Forster. Sel. Cipriano did not enter into any discussion and did not vote on this Site Plan and left the Hearing Room at this point. SITE PLAN GRANTED as all documents were in order, approvals received from site plan boards, and no abutters spoke for or against presented site plan.

8:06 p.m. to 8:30 p.m.

Recess declared by Ch. McAuliffe.

8:30 p.m. to 8:33 p.m.

Site Plan Hearing, Paul McCarthy dba McCarthy Pools, **221 Turnpike Road**, to construct a 13' x 21' aluminum frame greenhouse addition to existing showroom. Paul McCarthy gave a brief presentation and presented cert. mail receipts to Ch. McAuliffe. SITE PLAN GRANTED as all documents were in order, approvals received from site plan boards, and no abutters spoke for or against this site plan.

FURTHER BUSINESS TRANSACTED

Re: letter sent to Bld. Inspector Phaneuf from Selectmen instructing

him to investigate all possible violations of the Zoning By-Law and to issue a report which describes all of the alleged violations. Building Inspector Phaneuf stated that he is in the process of fulfilling this request and will report to the Board within a few weeks.

Selectman Cipriano informed the Board that the Purcell family chose not to appear before the Board to receive the posthumous commendation of Police Officer Stephen Purcell and that the Selectmen's letter of commendation was therefore mailed to the Purcell family at their request.

Selectman Cipriano made a statement regarding the recent editorial published by the Southborough Villager regarding his policy of requesting resumes for proposed candidates. He stated that at the meeting the Selectmen appointed Peter Roche to the ZBA at the request of Sel. Cipriano, he had verbally listed all Mr. Roche's qualifications.

Selectman Cipriano volunteered to meet with David Holmes (dba Southborough Boarding Kennel) and his abutters to discuss his most recent proposal to expand his parking spaces and to install a new business sign for his dog kennel business at **47 Oregon Road**.

Board noted 11-17-82 letter from Henry Holmes, State District Highway Engineer, Department of Public Works, Worcester, MA advising that he has directed his maintenance section to install stop signs at the requested locations on Rt. 85/Rt. 9 intersections.

Board noted October Incident Report received from Police Dept.

8:40 p.m. Meeting was adjourned.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

mrp

Memo

On November 23, 1982, Selectmen signed the following Warrants:

Warrant #95	\$ 24,423.75
Warrant #96	\$ 190,215.21
Warrant #97	\$ 8,102.36
Warrant #98	\$ 96,398.58

REVENUE SHARING Warrant #31 \$3,337.50

Total: \$322,477.40

*mrp*

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, December 7, 1982

Hearing Room

7:30 p.m. Present: Thomas W. McAuliffe, Chairman, Selectman Aldo A. Cipriano, Selectman Denson L. Satterfield, Jr., Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, members of the press, and interested citizens.

TREASURY WARRANTS SIGNED BY THE BOARD

Warrant #105	\$ 42,862.27
Warrant #106	\$257,995.84
Warrant #107	\$ 9,287.56
Warrant #108	\$ 83,633.81

PERMITS GRANTED

Site Plan Permits:

- (1) Granted to William F. Dunbar, **42 Latisquama Road**, requesting a professional office in his home: Dispensing Optician (sale of eyeglasses). (See Scheduled Appointment at 7:30 p.m. for further details.)
- (2) Granted to Stephen G. Pappas, requesting to sell Christmas trees and wreaths at **126 Turnpike Road**. (See Scheduled Appointment at 8:15 p.m. for further details.)

LICENSES GRANTED/DISAPPROVED

Licenses Approved and Signed:

Liquor Licenses:

Club/All-Alcoholic  
Fayville Athletic Association, Inc., Austin M. Maguire, Manager

Druggist/All-Alcoholic  
C. Charles Margaritis, Reg. Pharmacist dba Southborough Drug

Retail Package Goods Stores/Wine and Malt Beverages  
Capasso Farms, Inc., Elizabeth A. Sherry, Manager

J. Prior & Sons, Inc. dba Fitzgerald's General Store, Joseph F. Prior, Manager

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Jeffrey G. Anderson, Anthony J. Folino and David T. Corbett  
dba Southville Market & Package Store

Retail Package Goods Stores/All Alcoholic  
Bill's Package Store, Inc., William J. Fletcher, Manager

Turnpike Food and Liquor Mart, Inc., Stanley Kerbel, Sr.,  
Manager

William Mauro dba Mauro's Market

Restaurants/All Alcoholic  
White's Corner Restaurant, Inc., Frank J. Rossi, Sr., Manager

Giombetti & Francis, Inc. dba Andrea Restaurant, George  
P. Francis, Jr., Manager

Kahili Restaurant, Inc., Andrew Gong, Manager

Mitchell J. Sthika, Jr., dba Muley's Food & Spirits

Harpster & Sons, Inc. dba Bullwinkle's, Phyllis S. Harpster,  
Manager

Common Victualler's Licenses approved and signed:

#1-1983 J. Prior & Sons, Inc. dba Fitzgerald's General  
Store, Joseph F. Prior, Manager

#2-1983 Bill's Package Store, Inc., William J. Fletcher,  
Manager

#3-1983 William Mauro dba Mauro's Market

#4-1983 Turnpike Food & Liquor Mart, Inc., Stanley Kerbel,  
Manager

#5-1983 White's Corner Restaurant, Frank J. Rossi, Sr.,  
Manager

#6-1983 Giombetti & Francis, Inc. dba Andrea Restaurant,  
George P. Francis, Jr., Manager

#7-1983 Mitchell J. Sthika, Jr. dba Muley's Food & Spirits

#8-1983 Harpster & Sons, Inc., dba Bullwinkle's, Phyllis  
S. Harpster, Manager

#9-1983 Richard Gentille dba Ben's Deli

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#10-1983 Patricia A. Bennett dba Lugia's Sub Shop

#11-1983 Robert J. and Maureen Haley dba Maureen's

#12-1983 Angelo Baltas dba Southborough House of Pizza

#13-1983 Richard Curran dba Southborough News Shop

#14-1983 Kahili Restaurant, Inc., Andrew Gong, Manager

#16-1983 Jeffrey G. Anderson, Anthony J. Folino, Jr. and David T. Corbett dba Southville Market and Package Store

Class I/Agent's or Seller's Licenses (sale of second-hand motor vehicles)

#1-1983 Farrell Motors, Inc. d/b/a Farrell Volvo, Robert P. Farrell, President

#2-1983 Ingersoll-Rand Equipment Corporation

#3-1983 Williams Trailer Sales

#4-1983 DAVCO, INC.

#5-1983 Petry Equipment, Inc.

Class II/Used Car Dealer's Licenses (to buy and sell second-hand motor vehicles)

#1-1983 Ted's of Fayville, Inc.

License Denied:

Class II License was unanimously voted to deny renewal to Wayne G. Clews dba C & C Auto Sales, 77 School Street. Reason for denial: Violation of condition attached to License #2-1982 regarding permanent maintenance of eight-foot stockade fence. At present, the fence is completely down. Mr. Clews was present and stated that he feels this fence is the responsibility of his landlord George McCarthy. Both Mr. McCarthy and Mr. Clews had been notified regarding disrepair of the fence.

Licenses Put on Hold:

Class II License re Hugh M. Dalzell d/b/a Country Motors, 90 Turnpike Road.

Restaurant/All Alcoholic License re Hong Chow Restaurant, 77 Turnpike Road, Fayville.

Package Goods Store/Wine & Malt Beverages License re Route 9 Beer & Wine, Inc., 349 Turnpike Road.

At this point Selectman Cipriano suggested that in the future, all applicants for renewal of Class I/Class II Automobile Dealers' licenses be asked to come before the Board of Selectmen.

JURORS DRAWN

For Monday, January 3, 1983, Worcester Superior Court, three Traverse Jurors were drawn in the presence of Town Clerk Paul J. Berry: (1) Rosemay Petersante, 2 Richards Road; (2) David A. Costine, 32 Break Neck Hill Road; and (3) Pierre B. Balliett, 82 Framingham Road.

APPOINTMENT

Hazel T. Foote, 61 Newton Street, to Council on Aging to fill the unexpired term of Edith Sinclair.

SCHEDULED MEETINGS

7:30 p.m. to 8:08 p.m. Site Plan Hearing, William F. Dunbar, 42 Latisquama Road, professional office in his home as Dispensing Optician for the sale of eyeglasses.

Mr. Dunbar filed with the Selectmen's office certified receipts proving he had mailed hearing notice to his abutters, then gave a brief presentation. He is licensed by the State as a Dispensing Optician and can sell eyeglasses within the State of Massachusetts. He has a full time job and will only open his home office at nights - perhaps between 7-9 p.m. a couple of days a week. The breezeway of his home will be used as the office. He plans no other structural changes except for widening of his driveway to accommodate perhaps two more cars. No additional outside lighting is planned. He will be the only employee. At present he has room for 3 cars to park - 2 for the home and he would need an additional 2 spaces for customers. He needs to put in one more space for parking in his driveway.

Board noted receipt of approvals from site plan boards. Building Inspector Edgar A. Phaneuf, Jr. stated that everything is in order and that he was satisfied with the Site Plan.

Abutters speaking against the Site Plan: Edward McHugh, 40 Latisquama Road; Ed Hasbrouck, 48 Latisquama Road; James King, 44 Latisquama Road; and Dr. John E. Callinan (optometrist), 21 Latisquama Road. These abutters did not want Mr. Dunbar to open a business in his home nor erect a sign as it would change the residential appearance of the street; business would create a safety hazard, especially in the winter as the road is not wide enough; and the driveway was not considered adequate for off-street parking.

**MOTION MADE BY SELECTMAN CIPRIANO:** that William F. Dunbar, 42 Latisquama Road, proposal and Site Plan requesting a professional office in his home for the purpose of a Dispensing Optician for the sale of eyeglasses be approved on two CONDITIONS:

Condition 1: That the applicant assent to display no sign on the property.

Condition 2: That the applicant make all efforts to minimize the volume of traffic as the result of trade on his property so that the health, safety and welfare of the neighborhood is not jeopardized.

If either condition is violated, then the applicant will return to the Board of Selectmen for review and possible revocation of approval.

Motion seconded by Selectman Satterfield.

**VOTE:** For: Selectman Cipriano and Selectman Satterfield.  
Against: Chairman McAuliffe

MOTION CARRIED.

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8:10 p.m. Pole Hearing on petition of NET and Mass. Electric Company. Present for NET: Mr. Allessio; present for Mass. Elec. Co.: John Talbot. Petition requested to service a new home on Main Street (Rt. 30). No abutters spoke for or against this petition. Selectmen signed petition granting the following:

Main Street beginning at a point which is approximately 380 feet easterly of Johnson Road and continuing easterly...2 poles.

8:12 p.m. Pole Hearing on petition of NET and Mass. Electric Company. This petition was re:

Marlborough Rd. at a point which is approximately 180 feet southerly of Framingham Road...1 pole.

No abutters spoke for or against this petition and therefore Selectmen signed same.

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8:17 p.m. to 8:22 p.m. Peter Falconi and Barry Sims of Radio Station WKOX presented an award to Southborough as being its choice for Town of the Month.

8:22 p.m. to 8:28 p.m. Site Plan Hearing, Stephen G. Pappas, requesting to sell Christmas trees at 126 Turnpike Road. Mr. Pappas filed with Selectmen's office certified receipts proving he had mailed hearing notice to his abutters, then gave a brief presentation. Hours of operation: 9 a.m. to 12 midnight seven days a week. He plans to string Christmas lights around the perimeter (40 watt bulbs) and two spotlights shining on the trees away from the highway. Mr. Pappas presented a letter from the owners of the property giving permission to use it for this purpose. Mr. Pappas also stated that he will close this business at the end of the day, December 24, and will clear the property of all his debris. VOTE: (unanimous) to approve the Site Plan as presented on December 7, 1982, to open a business for the sale of Christmas trees and wreaths to and including Dec. 24, 1982. Hours open: 9 a.m. to 12 midnight, seven days a week, at 126 Turnpike Road, and that all remaining trees will be removed upon the closing of this business and the site to be left free of his debris.

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CORRESPONDENCE NOTED BY THE BOARD/OTHER BUSINESS TRANSACTED

Dec. 7, 1982 letter from Sherman Ball expressing some of his concerns regarding the signing of the Purchase and Sales Agreement for the Fire Station at 5 Main Street. Letter was read in its entirety. ACTION: Board will respond to this letter which will be read at next meeting of the Board.

November statistical report on Speeding Citations by Police Department.

November 24 letter from Southborough Council on Aging stating that its application for a Formula Grant of \$623 has been awarded by the Department of Elder Affairs from State Council grant funds. This grant supplements the weekly shopping trips and for medical purposes if needed.

Other Business:

AGENDA:

Sel. Satterfield asked that in the future the list of licenses to be renewed be listed on the Selectmen's Agenda.

VIDEO FEES:

Ch. McAuliffe brought up the matter of fee to be charged for each Automatic Amusement Device Licenses (video games) and made the following Motion: that the video game fees be increased from Twenty Dollars (\$20) to Fifty Dollars (\$50) per machine. **Motion was not seconded and did not carry.**

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Selectman Cipriano stated he believes the Town Meeting of 1982 (Article 9) increased the fees from \$20 to \$100 per machine but suggested the Board defer its vote on the fees until Town Counsel listens to the vote of the Town Meeting to interpret the intent. Board agreed.

9:37 p.m. VOTED: to adjourn the meeting.

*Marjorie R. Putnam*  
Marjorie R. Putnam, Secretary

mrp

MINUTES OF MEETING  
BOARD OF SELECTMEN

Tuesday, December 14, 1982  
Hearing Room

7:30 p.m. Present: Chairman Thomas W. McAuliffe, Selectman Aldo A. Cipriano, Selectman Denson L. Satterfield, Jr., Administrative Assistant Jeffrey A. Grossman, Secretary Marjorie R. Putnam, members of the press and interested citizens.

MINUTES ACCEPTED

November 30, 1982 Minutes of the Board of Selectmen approved.

TREASURY WARRANTS SIGNED BY THE BOARD

Warrant #109	\$103,427.14
Warrant #110	\$416,460.82
Warrant #111	\$ 28,925.08
Warrant #112	\$310,372.70

PERMITS GRANTED

Temporary Sign Permit for 30 days granted to Bullwinkle's Pub, 50 Turnpike Road, subject to compliance with the Zoning By-Law and further, subject to the warranty that the sign will not obstruct traffic.

Site Plan Permit granted to Howard W. Barss, 21 Boston Road, requesting change of use for construction office. (See 8 p.m. Scheduled Appointment for further details.)

RESIGNATION

Fred S. Ellis, 15 Main Street from Planning Board effective 12/6/82 .  
Action: Unanimous VOTE .  
Refer to Town Counsel for procedure and contact planning Board for a joint meeting on this matter.

LICENSES GRANTED

Board granted 2 a.m. closings for New Years' Eve to the following holders of all-alcoholic beverages (pouring) licenses: Andrea Restaurant, Bullwinkle's Pub, Fayville Athletic Association, Kahili Restaurant, Muley's Food and Spirits, and White's Corner Restaurant. Next year, Board would like a report from the Police Department on these establishments before granting the 2 a.m. closings.

Renewal Affidavit and

Liquor License Signed: Route 9 Beer & Wine, Inc., Franklin H. Spinner, Manager, 349 Turnpike Road. This matter was put on hold due to an individual's involvement with the federal authorities. Town Counsel informed the Board that this matter was continued without a finding and that the status is satisfactory. The Board being satisfied with the status, signed the renewal affidavit and licenses.

Class II Automobile Dealer's Licenses signed:

Lic. #3-1983 Hugh M. Dalzell d/b/a Country Motors, 90 Turnpike Road. Conditions: (1) Compliance with the Zoning By-Law of the Town of Southborough, (2) Compliance with the Site Plan Rules and Regulations contained within the Zoning By-Law of the Town Of Southborough, (3) Obtainment of all necessary permits, included, but not limited to, building permits. FUTHERMORE, in the event that the aforementioned conditions are not complied with by April 1, 1983, this Class II License #3-1983 shall be automatically revoked.

Lic. #4-1983 Charles Grant Ellis, Jr. d/b/a Ellis Imports, 12 Newton St.

Lic. #5-1983 Bill & Larry Texaco, Inc. d/b/a/ Southboro Chevron, William Stapleton, President, 145 Boston Road. Conditions: No more than 4 cars maximum shall be displayed at any one time; and any parking problems, expressed by the Chief of Police, shall be worked out with the Chief of Police.

Lic. #6-1983 David Weiner d/b/a S & H Auto Sales, 353 Turnpike Rd. Conditions: (1) hours of operation: Mon.-Fri. 8 a.m. - 8 p.m.; Sat. 8 a.m.—2:30 p.m.; Sundays CLOSED. (2) No more than 14 used cars shall be stored on said property at any one time.

Automatic Amusement Device License Fees: Chairman McAuliffe stated the Town Counsel Frederick A. Busconi, informed him that it was the intention of the Town Meeting of 1982 that the Board of Selectmen set a fee of \$100 for licensing of video games. Therefore the Board unanimously ratified the Annual Town Meeting vote of 1982, Article 9.

APPOINTMENT

Board read December 9, 1982 letter from Building Inspector Edgar A. Phaneuf, Jr., asking the Board to consider appointment of John A. Bartolini, 13 MacNeil Drive, as an Alternate Building Inspector to act in case of illness, absence or conflict of interest. Mr. Phaneuf explained that this appointment would be a convenience for the townspeople as when he is away for any reason the Northboro Building Inspector is not always available. Mr. Bartolini would also be needed in the case of a conflict of interest. Board took this matter under advisement.

CONTRACT

Re: Police Chief Baker's request to delete "as of July first" (re vacation eligibility) in the Police Contract, Article XI (page 20) was VOTED: to take under advisement and referred to Town Counsel for review.

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SCHEDULED APPOINTMENTS

7:30 p.m. to 7:39 p.m. Transfer of all alcoholic/restaurant license from Kahili Restaurant, Inc., Andrew Gong, Manager, to Robert E. Hoss d/b/a The Anvil Restaurant, 106 Southville Road. Andrew Gong (transferor) and Robert E. Hoss (transferee) were present. Certified mail receipts were filed with the Selectmen to prove the abutters had been properly notified by the applicant. Legal ad was read as it appeared in the Worcester Telegram of December 4, 1982. Mr. Hoss stated that a copy of his birth certificate will be submitted when it is received from Boston. Also, Mr. Hoss stated, "I request that if the transfer is approved by the Board of Selectmen this evening, that the transmittal of this license to the ABC be held until the final Agreement - everything has been finalized so we don't have to go through a transfer again." The hours of operation will be the same: 11:30 a.m. to 1 a.m. No major physical changes to the building are planned. No abutters spoke for or against this transfer.

MOTION: (by Selectman Cipriano) that the Board approve transfer of liquor license, Restaurant/All alcoholic, currently held by Andrew Gong of the Kahili Restaurant, Inc. to Robert E. Hoss d/b/a The Anvil Restaurant, home address 184 Middle Road, Southborough; the address of the facility being 106 Southville Road. (seconded by Selectmen Satterfield). VOTE: unanimous voice vote.

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8:00 p.m. to 8:13 p.m. Site Plan Hearing, 21 Boston Road, Howard W. Barss, requesting change of use for construction office. Selectman Satterfield stated he had a conflict of interest and abstained from participating in any discussion. Mr. Barss presented certified mail receipts to Selectmen then gave a brief presentation. He said he planned no changes in the building. Plans to fix up the windows He plans to leave everything exactly as it is. He has been in business 18 years in Framingham. Type of business to be run: This will be his headquarters. There will be an office with the rest of the building used for storage of doors, windows and small metal parts inside the building. No more lighting is needed than what is there right now. His business is general contracting, basically in the metal building business. No storage is planned for outside the building. He has no construction equipment. Chairman McAuliffe noted that approvals received from the site plan boards namely: from Building Inspector Edgar A. Phaneuf, Jr. Board of Health, Planning Board, Conservation Commission and the Water Department. Mr. Barss stated that he would have on the

premises six people on a regular basis. Sherman Ball of 4 Boston Road questioned as to why he was not notified as he believed he was an abutter. He believed all abutters within 300 feet of the building had to be notified. He referred to Section 11 of the Massachusetts General Laws Chapter 40A. Building Inspector Edgar A. Phaneuf, Jr., replied to this query by stating that only the immediate abutters are required to be notified of a Site Plan hearing. Mr. Ball was quoting a law which refers to Special Permits or a Variance by the ZBA. This is strictly a Site Plan Hearing and Mr. Ball does not qualify as an abutter in this Hearing tonight. Mr. Barss stated that he is a Butler authorized dealer in this area.

Hours: Mr. Barss opens up at 7 a.m. and goes home at 7 p.m. There will be normal working hours for the office staff.

Sign: on the front of the building, colonial in nature.

John Falconi - Falconi Brothers - 29 Boston Road asked if there would be additional parking planned. Mr. Barss said no additional parking was planned. There will be four offices, a conference room and a planning room. Selectman Cipriano made a MOTION that the Site Plan as proposed by Howard W. Barss requesting a change of use for construction office, inside storage only, be and is hereby approved subject to representations and guarantees made here tonight. Chairman McAuliffe seconded the Motion. VOTE: Chairman McAuliffe and Selectman Cipriano in favor. Selectman Satterfield did not vote.

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CORRESPONDENCE NOTED/OTHER BUSINESS TRANSACTED:

Selectmen unanimously VOTED to meet on Tuesday, January 4, 1983.

December 7 letter from Executive Office of Transportation and Construction asking for a letter to be received before 12/16/82 outlining outstanding transportation matters/problems/issues that involve Southborough. Chairman McAuliffe read Selectmen's reply (dated 12/13/82) re traffic control signal lights promised by State at intersections of Rt. 9 and White Bagley/Break Neck Hill Roads, Board's request to have Rt. 9 speed limit reduced to 45 miles per hour in Southborough, and asked for a Rt. 9 study be conducted. ACTION: Selectman Cipriano suggested a supplementary letter to be sent to include the State's agreement to maintain opening of Middle Road/Rt. 9 intersection. Board agreed.

Chairman McAuliffe read 12/9/82 letter from Police Chief William D. Baker to Peter Aspesi of Ted's of Fayville, 5 Park St. reiterating his concerns of citizens' complaints of the speeding of Mr. Aspesi's wreckers. December 9, 1982 letter from Police Chief Baker assures the Selectman that Mr. Aspesi has assured the Police Chief that his employees will operate the wreckers with due regard for vehicular and pedestrian safety. Also, Southborough Automotive has also assured the Police Chief that he will provide off-street parking for his equipment in an effort to avoid congestion at Newton and Main St. intersection.

Chairman McAuliffe read 12/10/82 letter from himself to Sherman Ball, 4 Boston Road, regarding the old fire station in that the Committee conducted public bidding procedure in accordance with Chapter 40 of the Massachusetts General Laws.

Chairman McAuliffe read 12/9/82 letter from Selectmen to DPW Worcester requesting that the DPW set the speed limit along Rt.9 within the Town of Southborough at 45 m.p.h.

8:28 p.m. VOTED: to adjourn the meeting.

*Marjorie Putnam*

Marjorie Putnam, Secretary

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